

United States Department of the Interior

FISH AND WILDLIFE SERVICE

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August 3, 1990

Memorandum

TO: Klamath River Basin Fisheries Task Force

FROM: Ron Iverson

SUBJECT: Draft minutes of the Task Force meeting held June 26-27, 1990.

Attached for your review are minutes of the subject meeting held in Eureka, California. I have followed each motion passed, assignment made, or other decision point with a line of asterisks.

Attachments

cc: Interested Parties

NOTES ON THE MEETING
OF THE
KLAMATH RIVER BASIN FISHERIES TASK FORCE
HELD JUNE 26-27, 1990
EUREKA, CALIFORNIA

26 JUNE

CALL TO ORDER.

The meeting was convened at 9:05 a.m. by Bill Shake. A quorum of members was present (see roster, Attachment 1). Asks if anyone has changes to the meeting agenda (Attachment 2). Orcutt asked about funding for the proposed Pine Creek project. (Group elected to curtail discussion until later).

Minutes of the previous meeting were approved.

Iverson introduced Doug Alcorn, also mentioned that Thackeray would be absent.

Bingham announced change of date for the "World's Largest Salmon BBQ" to June 30, 1990. Explained that money would be used for rearing salmon and steelhead on two creeks in area.

REPORT ON STATUS OF WORK PLANS FOR FISCAL YEARS 89 AND 90.

Non-Federal work plan (Odemar).

Monies were approved for state funding, contracts have been followed out. Changes were made to allow single source contract awards, not competitive bid system. Mentioned less flexibility for funding. Proposition 70 money has to go through Salmon Stamp program for approval. State groups and task force funding need to be discussed today. CDFG had problems with original wording of Klamath Act concerning in-kind funding. The state did not envision rule making procedure by this group about matching funding. The state is in a situation where a federal act is requiring substantial funding by the state, becoming difficult to meet that financial obligation.

(Shake): Understands problems and frustrations, but feels that this may be the only way to get attention focused on the local problems at hand. Indicates that Oregon and Washington are involved in the same type of restoration projects.

(Bingham): Agrees with Odemar, but the proposition 70 funds must be approved by two committees (Salmon Stamp Committee and Salmon Steelhead Advisory Committee). We're uncertain of how to resolve problems.

(Orcutt): I use Yreka Creek Greenway as an example, not singling it out, but an example about matching funding.

(Odemar): That is a non-federal match. The salmon stamp program did approve funding that project. I asked that the task force consider funding on it and it did get task force approval as an in-kind match.

Q: Who has first cut at funding at the state level?

(Odemar): When request for proposals (RFP's) come in, all five regions get proposals, we also submit a package to Klamath Field Office (KFO), and each member of the Technical Work Group (TWG) gets a complete set of proposals. We go through our list and look to see if the state projects fell below the

line, but we feel strongly about funding. The task force has access to all of the information as it comes in.

(Iverson): The state began inviting proposals earlier this year than last.

(Odemar): Our people have inspected the state proposals well, but have not inspected the federal proposal requests as well.

(Pierce): What happens to the proposals that were above the line that the state didn't want to fund.

(Odemar): If the task force is in favor and the state opposes funding on a particular proposal, I can vote in favor of the task force decision. I have no control over some specific types of proposals.

Federal work plan (Iverson).

An up-dated version of the funding proposals will be provided later. Public comments are due on the Long Range Plan by the end of August, public meetings are scheduled for July in Yreka and Arcata. The task force will be represented at the meetings by Shake and Bingham. We're waiting for corrections on the final report of the Humboldt State University project, and then we'll distribute it. We've received final reports from the acoustic weir project and these were sent out. The spawning utilization and habitat survey reports have been sent out by Craig Tuss. The U.S. Forest Service (USFS) work reports are provided for you. The evaluation of the instream structures report will be out in a couple of weeks. The Hoopa Valley, Pine Creek watershed evaluation report will be available this fall. The Department of Water Resources (DWR) is looking at augmentation of instream flow in the Scott River, report will be available in Fall. The Siskiyou Resource Conservation District (RCD) will provide a report on the Scott River sediment project. Yreka Creek project report has just been received, the report will be sent out. Higgins' project is underway, a summer institute will be held for teachers this July, anyone interested should contact Diane. Tricia Whitehouse's public information project is underway. The FY90 projects have been incorporated into agreements, except the contract to survey the general public about fisheries knowledge -- Chico State will agree to do the work -- and the agreement is in the process. Phase II of the 5 year education project is to develop a curriculum and field activities.

Q: Is phase II of the project tied in with the \$67k?

A: Yes. Diane's total FY89 contract is for \$67,000. This was approved by the task force. Our estimate of cost for Phase II is \$69k.

Q: Is the work that is underway part of this package?

A: Yes, including the seminars.

Q: Is Diane's FY91 proposal to fund phase II?

A: No. This bid would have to go through a competitive bid process.

Q: If the task force approves item #1 in the education category, competitive bids would have to be sought?

A: Right.

Q: Is a review of Tricia's work scheduled?

A: If the review of the draft newsletter -- by the USFWS Washington Office -- is successful, then we'll have a newsletter and a brochure produced from her work.

Q: Based on the '90 work we have pending completion, how much money do we have left?

A: We're estimating about \$85k to \$90k left over for FY90.

(Shake): This money should be expended in FY90, we need to obligate those dollars before the end of September. The reason for the surplus dollars is because some contracts came in below expected costs.

Q: Could we discuss this money first when we begin discussing new proposals for this year?

A: Absolutely.

(Bingham): The budget committee came up with some recommendations of proposals for this money.

(Tuss): We can talk about these at the appropriate time today.

(Shake): Let's spend all the money that has been appropriated to us. The \$90k surplus indicates good management.

Q: Craig, are we awaiting reports on some of last years projects?

A: Yes. Reports will be provided later.

(Farro): It's critical to have these reports in hand so that we can make good evaluations about projects concerning future funding.

(Shake): I agree, it will help us to do a better job.

REPORTS ON COMPLETED FY89 PROJECTS.

Scott River sediment survey (Siskiyou RCD). (Sari Sommarstrom).

Sommarstrom introduced herself and the project.

The project is about 90% complete now.

Presented overhead slides of objectives.

- 1: Where does the DG (Decomposed Granitic Sand) come from and how much comes into the streams? (Volume)
- 2: Where does the DG get stored and how much moves out each year? (Movement)
- 3: What does the DG do to salmon and steelhead spawning. (Impact)

Decomposed Granitic Sand (DG) is reason for study.

A GIS (geographic interpretation system) overlay was used, about 30 miles of river were studied. The geologic parent material was surveyed and mapped to indicate sources of DG. About 55,000 acres total were identified. Sari presented overlays of DG sources. She indicated that the GIS system allows for a zoom in look at any part of the study area. She quantified the overall erosion of DG sediment as 500,000 tons per year in the Scott River watershed, with between 100,000 and 200,000 tons per year DG entering the stream. A breakdown of sources and respective percentages show that roads contribute 55%, stream bank erosion contributes 39%, skid trails and logged sites contribute the remaining balance of the 500,000 ton total. The French Creek watershed provides about 26% of the DG into the system. Crystal Creek has low total, but the road density is the highest.

Q: Can you up-date the data in the study?

A: Not in the scope of this study. Logging is occurring now and ongoing.

Q: What's the pattern of ownership in the watershed?

A: About 70% private, 30% public.

Q: The high DG flow could be because of lack of control on private lands?
A: I Can't come to that conclusion yet.

(Sommarstrom): The DG studies are important because a substantial portion of the KR basin is DG producing. When DG soils are saturated they have zero cohesion, the angle of repose is about 70%, when trees are removed the soils collapse. The erosion processes accelerate quickly. Stream banks are sloughing off continually, not necessarily a function of instream flows. There doesn't appear to be substantial aggradation in the stream bed based on USGS 1956 surveys. Sediment transport calculations allow for large range in results. Many assumptions are used. The results differed, but the patterns were similar, reaches with large storage capacity had low transport capacity. There are no absolutes, but reach #2 has a low transport capacity, consequently a large quantity of sediment settles out at this reach.

Q: What's the impact to spawning gravel?

A: Fines impair the survivability of salmonid eggs. I evaluated potential spawning areas, not redds because not many fish reached the evaluation areas. Historic (1962 CDFG aerial surveys) indicate sand was a problem, at least as far back as 1948. Percent survival of eggs is not known. I used a McNeal sampler to evaluate grain sizes. A lot of fine grain was found in most reaches. Reaches containing "fines" greater than 20% can be problematic. Two reaches had 80% fines, which are off the chart of "Effect of fine sediment on emergents". A 25% to 100% reduction in survival of emergents can be expected for chinook, less survival for steelhead can be expected.

Q: We need a decision making tool in this study. With the data you've displayed today, you've indicated that what sediment is yielded to the stream and to specific locations. What data will indicate specific areas requiring action in the study?

A: Yield data is important, it should be proportional to action needed.

Q: The sediment storage seemed to occur just above the thalweg, is that in the active channel?

A: Yes, but I don't have historic data to locate historic thalweg.

Q: Is the Scott River the major or only producer of DG in the Klamath River system?

A: The Shasta River has none, the Salmon River produces DG, Beaver Creek produces some.

Q: Will results and recommendations from this study apply to other areas of DG production?

A: No.

Q: Is the lack of transport ability caused by stream flow diversion? Is the answer to provide high flows or artificial removal of the DG?

A: Sediment deposition is not caused by lack of flushing flows in the Scott. A lack of coarse woody debris is a problem because no scouring flows are produced without the debris. Summer diversions are not the big problems. A site specific study needs to be done to provide remedial recommendations for each area.

Q: Do you have an overlay indicating the spawning utilization on the Scott River after 1956? A: Yes.

Q: There's a lot sediment left after the '64 flood that may re-enter the system in a high water year?

A: It shouldn't be re-mobilized because the '64 flood was a 300 year flood.

Q: Should the task force be spending money on the DG problem in the Scott River

A: Yes, there are benefits from past restoration work.

(Wilkinson): There is a "net stock growth benefit" from limiting livestock access to water, this information should be provided to cattle growers to possibly get support of fencing, etc. The riparian work provides for better grass production, increasing cattle production. This could be used as an educational tool to enhance the riparian fencing projects.

Q: Isn't sediment delivery dependent on rainfall events?

A: Yes, the annual rates of sediment yield from each site were averaged over years.

Q: Then the sediment yield could be affected by a large hydrologic event?

A: We are trying to address this with the "average" sediment yield definition.

Q: Is it possible that the areas of measurement are restrictions to flow and that deposition occurs in a non-representative manner upstream of these areas?

A: Yes, possibly, these problems have been identified and the observation sites are picked for many reasons.

(Sumner): A major problem in this study area is a county road that has been channeling DG right into French Creek. This problem has been addressed by my office.

Q: Should the task force provide a letter as well?

A: That would be fine, but the county is already aware of the problem at this site.

Spawning escapement estimates and hydroacoustic weir trial (CDFG).

(Odemar): I'm not prepared to present this project in detail, if the task force would like more detail, we can schedule presentation for future meeting. The spawning '89 escapement information appears in the reports. The weir tests were successful, but problems with funding and staffing on the Salmon River project prevented successful completion on this part of study.

Q: What's your funding like in '91.

A: It's bleak. We've had to restructure some of the projects on the Klamath River basin. The Department's budget shows an \$11.2 million deficit. We're gutting the wildlife management programs because no license revenues have been realized. A state wide deficit of \$3.6 billion will cause problems statewide for getting additional monies. The new tax law revenues may not help in '90-'91. It's bleak now. The 117 mountain lion bill set up a three year moratorium on hunting and set up a system for habitat acquisition. The money will come out of sources that would be used by CDFG for other restoration projects. We haven't sorted out how this affects our financial obligations, but it complicates things. The outlook is bleak.

TASK FORCE COMMENTS ON FEDERAL RULEMAKING ON IN-KIND CONTRIBUTIONS TO THE RESTORATION PROGRAM.

(Shake): Ron, can you lead discussion on the draft Federal Rulemaking?

(Ron Iverson): There's been a lot of review on the March 28 draft. I've tried to incorporate the review comments into the draft, for instance, Mike Orcutt's comments regarding the 638 funds -- about them meeting the

matching funds in 25 cfr indicating that they qualify as a non-federal match. We'd be happy to receive final comments from task force before sending final draft to the federal register.

(Shake): On page 7, item small "e" ...(clarifies standard that task force must follow before approval of funding). This could restrict our actions.

(Iverson): As I understand, under paragraph "f", page 7, the approval process would be: the task force would have state proposals in front of them, and they would say that under these rules, they qualify as in-kind contribution.

(Rice): For example, if the task force could only come up with 500,000 non-fed matching funds and the fed funds of 1,000,000, is the task force borrowing on the other 500,000 dollars of matching funds?

(Shake): It is to some extent, but we need to find ways to keep in-kind contributions close to prevent a large deficit at a later date.

(Odemar): The 638 funds appear to be eligible as non-federal matching funds, we should look closer at this. We may find more matching funds that haven't been identified.

(Shake): When an approved plan is in place, and we go outside of the plan to find in-kind contributions, we're wasting time.

(Odemar): The test is for project matching funds identified after Oct. '86.

(Shake): (Reads paragraph of the draft rulemaking, paragraph 72.5e that says that ongoing projects from prior to '86 will not qualify for funding on the Klamath River restoration project). The money is for new projects, not to fund the same old stuff.

(Odemar): We surveyed projects and catalogued pre and aft '86 projects, and would begin calculating matching funds for projects that qualified as aft projects. We cut the line off at '86. Now the interpretation of this act is that no on-going projects should be funded and this concerns me.

(Iverson): The early interpretation of the rule on in-kind funding qualification indicates that: 1) CDFG would provide a list of candidate projects to be considered by the Task Force for approval as "in-kind"; and 2) the Task Force would review the list, approving or disapproving them as appropriate. Accounting would be simple after this approved list was identified.

(Shake): I'd say that we need more flexibility...

(Orcutt): I'm confused with non-fed and in-kind funding. I thought that 638 funds were being used to add to and make projects more presentable.

(Shake): I see this as a joint venture, a project is stepped up with an organization's own funds as long as they qualify.

(Rice): We had this discussion in '87. In our notes dated Oct. 19, 1987 we endorsed non-federal and in-kind contributions and identified them. We wanted a \$21 and \$21 million split, we had a consensus at that time about matching funds. I can provide a copy of these notes for everyone if needed.

(Farro): Are we excluding the other agencies funds that can be considered in-kind or matching?

A: That was not the intent.

(Farro): We will include this in our workplan?
A: Yes.

(Iverson): We have federal funded projects and state funded projects which were approved by the task force, the state funded projects met the criteria as in-kind funding.

Q: Would we go back and look at target amounts spent in each category?

A: (Shake): Some things may come along that may be funded outside of these.

(Rice): How do we keep the books straight about federal and matching funds?

(Shake): We need to keep a running total.

(Odemar): County funds can be considered in-kind funds.

(Bingham): If we adopt these regulations we have to be careful that these pots of money don't fall through the cracks. We need to be very inclusive about the monies which are supplied.

(Iverson): The January meeting notes provide a list of state-funded projects back to 1985.

(Shake): When we complete the regulations, a group from this task force should evaluate proposals falling above the line to evaluate whether these projects qualify as in-kind funding. We need to look at the previous minutes from '87 to see what the consensus was regarding this regulation decision.

(Odemar): Suggests changes in wording... for later time, after copies of the '87 notes have been read and discussed.

(Shake): We can supply comments to Ron and have the KFO put the comments together in written and complete form.

INFO: REVISED STANDARD (OCTOBER 1987), "PROJECTS WHICH WERE IN EXISTENCE PRIOR TO OCTOBER, 1986, WILL BE INDIVIDUALLY REVIEWED BY THE TASK FORCE TO DETERMINE IF THEY QUALIFY AS IN-KIND CONTRIBUTIONS." (Attachment 3).

The task force notes from '87 were passed out to task force members to allow review of notes. Shake asked everyone to review and prepare for discussion after lunch.

LUNCH

Return to Task Force Comments on Federal Rulemaking.

Shake: We've had time to review the process we developed in 1987 for deciding whether pre-Klamath Act projects qualify as in-kind contributions. I suggest paragraph "e" of part 72.5 of the draft rulemaking be changed to the 1987 language (Attachment 3).

Bingham: I so move.

Seconded.

Discussion:

o Q: Does your motion intend individual Task Force review of those older projects?

A: Yes - that is my recollection of what we agreed to in 1987. I would see the State bringing the earlier projects they proposed for in-kind match to the Task Force - or a subcommittee - for review.

Motion passed by consensus.

(Farro): Let's get those early projects identified soon, to get the accounting updated. If the non-Federal match falls too far behind, the annual Federal contribution may have to be adjusted downward.

(Odemar): In paragraph (h) of Part 72.5, how about changing ... "must be approved projects of the Program" to ... "must be consistent with the Restoration Program plan"?

(McInnis): Disagree. Since we only need to identify about \$1 million of in-kind matching projects each year, it shouldn't be too difficult to review and approve/disapprove individual proposals.

(Odemar): Speaking of post-1986 projects, we need latitude under paragraph (h) to bring in, for after-the-fact approval, non-Federal projects that may not have been approved by the Task Force in an annual work plan.

(Shake): The intent of (h) is to deal with new projects that the Task Force approves in the proposal stage.

INFO: Paragraph 72.5(h) of the draft rulemaking reads: "Projects accounted as in-kind contributions after these regulations take effect must be approved projects of the program".

(Odemar): This concerns me. Remember that the State of California has no line item in its budget for an annual contribution to the Klamath Restoration Program. Proposals in the Klamath basin must compete with projects elsewhere in the State for funding, and funding problems are severe. I agree that we want the in-kind contributions requirement of the Klamath Act to stimulate new non-Federal investment, but I don't think it was the intent of Congress to ignore the substantial State efforts in fish restoration that don't happen to have been formally approved by the Task Force before they were built. We need more flexibility in the rulemaking.

(Bingham): How about changing the rulemaking to say that any non-Federal project would count unless specifically disapproved by the Task Force.

(McInnis): This is well-intended, but unworkable. It would be very cumbersome to get consensus of this group in telling the State a particular project doesn't qualify as an in-kind match. I would rather take the opposite approach and put the burden on the proponent to convince the Task Force that a proposed project brought in after the fact should be added to the annual work plan list of approved projects.

(Bingham): If funding has already been provided from elsewhere, what would be the incentive for a proponent to come before us? I feel we should be inclusionary in defining in-kind contributions.

(Odemar): If paragraph 72.5(h) can be rewritten to allow for adding projects after the fact, through a process of bringing such projects to the Task Force for formal approval, or if the present language can be interpreted that way, I would be satisfied.

Discussion ensued as to whether the present language allows for after the fact approval. Chairman Shake concluded that paragraph (h) allows for after the fact approval, and can be left as written.

(Orcutt): How will you deal with tribal "638" funds as non-Federal contributions?

(Iverson): It appears they qualify, per language in 25 CFR, as non-Federal funds, and we should add a paragraph to the draft rulemaking to so indicate.

Shake requested Klamath Field Office to make changes in the draft rulemaking as requested by the Task Force today, and send the draft document forward for Federal Register publication.

The budget committee was assigned to prepare a list of pre-Klamath Act projects, and other projects not now part of an approved annual work plan, as candidates for Task Force approval as in-kind contributions. Shake noted the committee will need help in assembling that list, and asked Odemar, Lara, Farro, Bingham and Hillman to help in that task. Other Task Force members were asked to assist, using their knowledge of local projects. A letter from Shake to Task Force members requesting this information may help in getting access to it.

Discussion ensued as to how far afield the search for in-kind matches might extend. Kinds of projects suggested included:

CalTrans habitat restoration projects funded by a recent bond act intended to correct longstanding problems caused by that agency. Farro will provide the budget committee with a list of these projects.

Trinity basin projects (Odemar): The Klamath Act does not exclude the Trinity basin from the Klamath Restoration Program -- statements in the draft long-range plan notwithstanding -- and I feel we should consider Trinity projects as in-kind matches, if funding has not been provided from the Trinity Restoration Program. An example would be the Horse Linto project. Inclusion of Trinity County and the Hoopa Tribe on the Klamath Task Force implies an intent to include the Trinity basin in the Klamath Restoration Program. There would be no overlap with State contributions to the Trinity Restoration Program, as that is a cash payment to the U.S. Treasury, rather than an in-kind contribution.

Comments on the proposal to include Trinity projects as in-kind contributions included:

- o (Kier): Our comments in the draft long-range plan don't derive from the Klamath Act, but from the House of Representatives documentation on legislative intent. The CH2M-Hill plan included the Trinity, because it was intended to be the plan for fish restoration for the entire basin. Congress chose to authorize two separate restoration programs.
- o (Orcutt): The Hoopa Tribe has refrained from submitting Trinity proposals - of which we have several good ones - for funding under the Klamath Restoration Program, because we consider the two basins to have separate restoration programs.
- o (Shake): We will seek a legal interpretation regarding our authority to extend the Klamath Restoration Program to include the Trinity basin.

TASK FORCE RECOMMENDATIONS ON TRAVEL APPROPRIATE FOR FWS REIMBURSEMENT.

(Iverson): We've had requests by management council and task force members to reimburse travel expenses for travel to meetings other than the meetings of the committees. We are allowed by the act to reimburse for all work involved with the project, but we want the task force to set guidelines for reimbursement decisions so that it won't be arbitrary.

Q: Do you have a copy of the operating procedures?

A: No, the procedures talk generally about travel reimbursement procedures. A decision here would help the KFO decide for what purposes reimbursements are funded.

Q: What's the cost for travel in FY90?

A: \$25,000 for management council, \$8000 for task force.

(Odemar): In FY90, the travel cost number in your KFO budget is \$72,000.

(Iverson): This includes the cost of moving Doug, vehicle operations, etc. The \$33,000 includes just the council and task force.

Q: Why the difference in cost for the task force and the council.

A: (Coburn) We pay travel for 24 people in addition to our 5 USFWS personnel: 7 people each on the Council and Task Force, plus 4 on the Council's technical advisory team and 6 on the Task Force's technical work group. The management council has had more meetings than the task force and has also been going to the PFMC meetings.

(Shake): We asked for this information before, maybe I should go to the management council meetings.

(Bingham): Their travel costs should come down because of reduced travel needs, may not meet as often.

Q: Why meet in La Jolla?

A: We use a computer available there.

(McInnis): The planning and staffing is contributed by the PFMC.

(Odemar): The La Jolla Cost has some objections because of location, but much of the management council's costs are eaten up in the two intense meetings that occur prior to the setting of Ocean Salmon regulations in April.

(Shake): Do we need a mechanism to provide guidance to the Management Council on their costs?

(Wilkinson): I make a motion to reimburse travel that is allowable at the discretion of the task force chairman to determine applicability.

(McInnis): Ron, What types of requests have you had to say "no" to.

(Iverson): We've had requests from individuals to attend PFMC which we have not reimbursed. We've also had inquiries about travel to the Salmon & Steelhead Restoration Conference and similar meetings.

Q: What type of screening would the task force be expected to do?

A: We have a travel authorization list for each meeting, for example this meeting is convened by the chairman... we can reimburse people who are required to attend this meeting at the chair's request.

(Wilkinson): The motion includes this chairman's authority.

(Rice): I attended the PFMC meeting in Eureka, there are people who attend those meetings for their own information, all representing the task force, eight people from the task force don't need to be there.

(Shake): Some of those there are not always asking KFO to pay for their travel.

(Odemar): I can see no reason for duplicate representation at these meetings, however some individuals serve as representatives from other groups, not just the task force. If there is duplication of representation, it may not be as it appears.

(Farro): I thought that travel reimbursement was by prior approval.

(Shake): We still have a motion on the table.

Motion passed: Travel authorization will be required by the chairman prior to payment of travel vouchers.

Q: Will this be in our operating procedures? A: Yes.

Q: How does the Management Council get that endorsement? Do they petition this task force because we control the finances?

A: If we're spending X dollars per year, we ought to say that there is a specific amount set aside for the council for travel.

(Shake): Let me discuss this with the council.

Shake will attend next KFMC meeting to discuss travel reimbursement.

Q: Do we encourage full attendance at the PFMC meeting by the management council members?

(Shake): I suggest that they attend at least one meeting, but may not need to attend every meeting.

REPORT ON PLANNING ACTIVITIES OF THE KLAMATH FISHERY MANAGEMENT COUNCIL.

(Keith Wilkinson): Reported on the May 17-18 meeting of the Council, which was devoted to harvest management planning. An important accomplishment of that meeting was generation of an options field, wherein about 50 options (action items, more or less equivalent to the "policies" of the Kier draft plan) were grouped, by similarity, into nine categories, which in turn were sequenced based on whether a choice of options from category x should be made before a choice from category y, in developing an alternative course of actions consisting of several options. The Council was divided into three study groups, with each group assigned to draft an alternative course of action. Keith's group, considering the options category called "decisionmaking process", identified a need for mediation, rather than the present consensus-or-veto process, and also the option of deciding by a 2/3 majority. Other options for decisionmaking included requiring two negative votes to veto, or maintaining status quo.

In the second options category, "harvest management strategies", Keith's group selected options for seasonal (not quota) harvest management, and converting all fisheries to seasonal management - including river net fisheries.

In the third options category, "resource assessment and monitoring", Keith's group selected options for devising a monitoring program to enable instantaneous estimation of harvest status of all salmon stocks, seeking funds for improved in-season data collection, and instituting a coastwide genetic stock identification (GSI) sampling program to determine stock composition of ocean landings.

In the fourth category, which includes "organizational approach" and "communications", Keith's group selected options to maintain the organizational status quo, to increase communication on management practices, and improve public involvement in problem solving. Other options proposed included a Klamath producer's cooperative to replace some existing organizations, a newsletter, and varied meeting locations to improve public access.

In the fifth category, "escapement policy", Keith's group selected an option of establishing a threshold for natural stock productivity below which the Council would re-examine the goal of managing for that natural stock. That is, harvest management would not be restrained, without limit, by weak stocks.

In the sixth options category, "habitat", Keith's group selected options to require water flows adequate to optimize productivity of the basin, and to mandate - by law - minimum habitat standards.

In the seventh options category, "allocation strategies", Keith's group selected options to maintain the ocean/inriver allocation of recent years (1989 target for ocean/inriver harvest rates for Klamath fall chinook was .37/.49) and to meet the allocation of the 1987 harvest sharing agreement (ocean/inriver harvest rates of .325/.525).

In the eighth options category, "enhancement", Keith's group selected options for additional artificial fish propagation, targeting harvest on hatchery stocks, and bio-enhancement of weak stocks.

In the ninth options category, "effort management strategies", Keith's group endorsed an option to buy out or trade out commercial salmon trollers.

Discussion:

- o Q: What will be done with these options? A: The goal is to agree on an optimal design -- that is, a set of options -- out of all the possible alternative sets that all parties can accept as most beneficial and workable. The Klamath Council can probably get agreement on such a design with about one more day of planning work. A key factor in progress has been facilitator Dave Mackett of NMFS... this is a very structured planning process which requires that participants not stray from the subject, and Dave is successful at keeping people on task.
- o (Odemar): As a participant, I have been surprised at the variety of issues on which the Council has been able to reach consensus. At the same time, there are some hot buttons -- options that are unacceptable to some groups. The planning process has helped in identifying and defining these areas.
- o (Bingham): Several harvest management options will require negotiation with the Task Force. These include: habitat issues; how weak natural stocks will be treated; and the role of hatcheries where harvests are on mixed hatchery and (weak) natural stocks.

TASK FORCE DISCUSSION OF SOLICITOR OPINION ON EXTENDING RESTORATION PROGRAM TO UPPER KLAMATH RIVER BASIN.

(Shake): The Solicitor's opinion (Included in Attachment 4) concludes there is nothing in law to prohibit including the upper basin in the Klamath Conservation Area. Discussion?

(Wilkinson): The Task Force should review the issues raised by Oregon Trout in their letter (Attachment 5) distributed to the Task Force last winter. These included giving consideration to native resident fishes in planning for reintroduction of anadromous stocks.

(Odemar): I'm surprised that your legal counsel has interpreted our authority under the Klamath Act more broadly than a face-value reading of the Act would seem to provide for. This was also the case on the issue of spending Klamath Restoration Program funds in the Rogue basin.

(Shake): Disagree on the latter point -- our Solicitor was quite restrictive on spending funds outside Klamath basin.

(Shake): We now know we have authority to do restoration planning in the upper basin. Let's hear Kier's report, then consider the plan amendment we asked him to draft.

REPORT ON LONG-RANGE PLANNING (Kier Associates).

(Kier): First, I'll sum up the history of the idea of including the upper Klamath basin in our long-range planning. At the plan scoping session in Yreka, in October of last year, representatives of the Klamath Tribe recommended the plan consider upper basin issues, including fish passage past the Klamath River dams. They said blocking of fish migration was done without proper consultation with them or other Oregon interests, and it is time to revisit the issue. In January 1990, Cheryl Tupper of the Klamath Tribe addressed the Task Force in favor of including the upper basin in the long-range plan. Later in that meeting at Brookings, Bill Shake's motion to request a proposed amendment, from Kier Associates, to include the upper basin in the long-range plan was passed by consensus. We provided that proposal for Task Force discussion at the Redding meeting in April, 1990. My interpretation of comments provided by Odemar and Thackeray at that meeting was that you wanted the amendment focussed on upper basin activities and conditions that are having an impact on fishery resources downstream -- principally water quality. We have so revised the proposal, which you have (Attachment 4). Besides the upper basin issue, the proposed amendment includes stretching out the schedule for completing the planning job. These two matters could be considered separately, if you like.

Discussion:

- o Q: The present version of the proposed amendment doesn't include fish passage to the upper basin? A: Correct.
- o Q: Cost of the proposal has been reduced from \$27,000 to \$23,000? A: Yes.
- o (Bingham): The present plan review schedule, falling within salmon fishing season, makes it difficult for trollers to participate. I recommend extending the schedule to accommodate a lengthened comment period. Public meeting dates are okay -- no change needed there.
(Kier): I agree an extension of the comment period would increase public participation, but Kier Associates can't just soldier on into the fall months without some additional resources.

- o (Bingham): Would the amendment to include the upper basin mean an entire second round of review? (Kier): I turn that question back to the Task Force. Our draft long-range plan is structured to be amended and improved -- I can foresee several possible amendments. How does the Task Force contemplate handling this? (Bingham): I propose extending review of the current draft plan, so the whole amended plan can be considered together. (Rice): I agree the entire Klamath basin should be included in the final Kier product. The question is, whether the upper basin portion should be added to the current review draft.
- o (Kier): Let's review the process. We are in a 60-day comment period with two public meetings... comments are due by August 10. Planners then have a few weeks to digest and summarize comments, and bring the big issues to the Task Force so you can give us direction on incorporating those into the plan. When we have done that, we will submit our final product.
- o (Rice): How about requesting comments, from plan recipients, on extending the plan to the upper basin? (Kier): Our letter of June 15, 1990 -- transmitting the proposed amendment to FWS -- proposes an upper basin public scoping session.
- o (Odemar): I support your proposed plan amendment, but have trouble seeing how to fit it into the present review process. Maybe we should get the final plan from you, then ask you to go to work on the amendment in a second, separate process.
- o (Kier): I hear two options for proceeding: Bingham and Rice propose to stretch the planning process to include the entire basin, while Odemar favors working in two phases. Remember, there will likely be several updatings of the plan -- inclusion of the upper basin is just the first of those. For some changes, the opportunity for public comment could be at Task Force meetings. (Odemar): Sounds like you support my option.
- o (Shake): Public/agency review of the current draft may call for lots of changes, in addition to inclusion of the upper basin. I think the plan completion should be one process, rather than segments. I agree with Kier that an extension of the plan schedule will cost money. Kier is telling us, in Attachment 4, that schedule extension and inclusion of some upper basin issues will cost \$23,000.
- o (Del Robinson, BIA Redding): I support Kier's proposed amendment. Much of the Klamath flow comes down from Oregon -- the Klamath Compact can reduce that flow by half. I can't believe you would pursue a fishery restoration program without considering your water source. I don't agree with comments made earlier that the Restoration Program wasn't intended to include Oregon -- such a political boundary doesn't make sense ecologically.
- o (Cheryl Tupper, Klamath Tribe): I concur in Del's comments about the Klamath Basin Compact. The Klamath Tribe has reviewed Kier's proposed amendment, and support it. We are ready to share our water quality information with you.
- o (Wilkinson): Has the Klamath Tribe taken a position on the Salt Caves proposal? (Tupper): We oppose it. (Wilkinson): FERC approved Salt Caves last week. Oregon Congressman De Fazio is trying to get that stretch of the Klamath protected under the Wild and Scenic Rivers Act, which would preclude damming. We need to watch this issue carefully, Salt Caves is not dead.

- o (Orcutt): Is the Klamath Tribe seeking other sources of restoration funding? (Tupper): We have water quality monitoring projects in Klamath Lake and Williamson River, with funding from Bureau of Reclamation.
- o (Orcutt): I support inclusion of the upper basin in our long-range planning, including consideration of fish passage. I would rather see the plan amendment in the form we were provided at the April meeting, which included fish passage.
- o (John Hayes, CDFG, Redding): Don't ignore upper basin issues. We have seen frequent threats of reduced flows below the FERC license requirements for Iron Gate dam. This year, we came close to summer releases of only 500 cfs at Iron Gate, but were spared by late rains. These flows are essentially controlled by the Bureau of Reclamation's irrigation project in the upper basin. The long-range plan needs to examine water quality and quantity coming down the Klamath, and the Salt Caves proposal.
- o (Shake): I'm not sure all Task Force members are familiar with the Klamath Basin Compact. Klamath Field Office should distribute copies (Attachment 6).

- o (Kier): One approach to these upper basin problems is through the 2006 relicensing, by FERC, of Iron Gate Dam. In the draft plan, we point out that CDFG and other fish agencies normally begin to look at mitigation issues a few years prior to relicensing -- but we think it is timely for the Task Force to begin planning now for FERC relicensing.
- o (Odemar): Kier, do we understand you can keep your associates together to extend the planning period, including the public comment period, and write the upper basin amendment, all for \$23,000? (Kier): No. Our \$23,000 proposal is for the upper basin amendment. Integrating that work into the current plan as Bingham proposes would cost more, and there would be yet more cost if the Task Force supports Orcutt's request to put the fish passage issue back into the plan amendment.

Specific discussion of including the upper basin:

(Shake): Bill is telling us each planning item will cost something. Let's decide which items we want, starting with inclusion of the upper basin.

(Wilkinson): I move to support inclusion of the upper basin, as well as extension of the completion date for the plan.

Seconded.

Discussion of Keith's motion:

- o Q: Do you refer to the upper basin amendment as written, or augmented with the fish passage issue? A: I refer to the proposal before us, which doesn't propose to address fish passage.
- o Q: Does that mean the issue of restoring anadromous fish to the upper basin would not be addressed in the plan? A: Correct.
- o (Odemar): I support the motion. Information on water quality will be useful whether or not we go on to address anadromous fish restoration to the upper basin. That latter issue seems like one for the distant

future. (Shake): I agree that the fish restoration issue will be a complex and difficult one.

- o Q: Does your motion include extension of the present comment period?
A: Yes.
- o (Orcutt): Note that Kier isn't asking for much additional funding to consider restoration of upper basin fish runs -- if you compare costs of his two proposed amendments, with and without fish passage.
- o (Kier): That's correct. Before you vote, tell me more about the part of the motion that deals with stretching out the public comment period and integrating the upper basin issues into the plan. I'm wondering about the logistics, Federal Register notices, etc. My amendment, as you have it before you now, was intended to follow a separate process. Integrating it into the current process deserves more thought. These may be mere logistical problems but they take money and staff, and we have about spent out our present contract.
- o (Hillman): I don't think we will have a final plan in November. Regardless of the contract with Kier, the Task Force will be debating the plan for a long time before it is adopted.

(Shake): Hearing no objections, Keith's motion to include the upper basin in the plan, and to extend the schedule, passes by consensus.

Discussion of cost:

(Shake): Having identified the work we want done, let's get costs identified. Bill Keir, can you give us a revised cost estimate by tomorrow? A: Yes.

Q: Can funds come from the FY1990 appropriation? A: Yes.

Q: Why not just leave costs to be negotiated between Kier and FWS?

(Kier): I would rather have your support by identifying approximately how much money you think is appropriate. We could then negotiate fine points with FWS.

Discussion of adding fish passage issues:

(Orcutt): My suggestion of putting fish passage back in the plan amendment was intended as an amendment to Keith's motion. What happened to it?

(Shake): The motion that passed was to accept the proposed Kier amendment and to extend the planning process to about 15 November. You may present a motion to add upper basin fish restoration as a plan element, if you wish. Personally, I think this may be an issue to be taken up later -- I detect some opposition within the Task Force.

Other discussion of the amended plan/schedule:

(Kier): I suggest you devote an entire Task Force meeting to the summation and integration of public comment. We will need clear direction from you in incorporating comments into the plan. I agree with Leaf that there will be plenty of unresolved controversy long after the planning team is paid off.

(Ed Barnes): Some comments on the plan structure: First, it would be wise to get a revised proposal from Kier for your review, since you have asked

for substantial changes from what he has submitted. Second, recognize that a detailed action plan will be needed to connect the broad policies of the long-range plan with annual work plans and budgets. This will be a big job -- I would say a year or more of work, costing several hundred thousand dollars.

(Cheryl Tupper): I remind you that the Klamath Tribe strongly supports restoration of anadromous fish to the upper Klamath basin.

(Wilkinson): A plan for restoring fish runs and habitats above Iron Gate would take lots of money.

(Del Robinson): Perhaps a separate action plan is needed for the upper basin.

(Odemar): I'm concerned about diversion of very much of our time and money to the upper basin, when we have scarcely touched lower basin problems. The Kier planning amendment is enough for now. (Shake): Agree.

REPORT OF THE TECHNICAL WORK GROUP AND BUDGET COMMITTEE: RECOMMENDATIONS FOR PROJECTS TO BE INCLUDED IN FY91 WORK PLAN.

Discussion of report on Long Range Plan, Kier and Associates:

(Kier): We've gone over the structure at some length, we did have a full discussion of the predecessor draft in April in Redding. There are minutes of the issues discussed, we went back to our desks to make improvements based on recommendations. We had successes and failures in this procedure before we got the draft out to you just prior to this meeting. Chapter 4 of the draft instructions was that we make a boxed disclaimer about this approach, that the task force was not of one mind on this issue. The draft is now out to the public, awaiting commentary. We were going to do this in the September 5 [subsequently changed from Sept 5 to Oct 18-19] meeting, to allow public input. I suggest that we discuss how to include the upper Klamath River work in the public review/comment process.

(Shake): Let's discuss this in tomorrow's meeting.

(Kier): One problem that I have with the task force is getting sufficient feedback on this project. This was going to be your plan, not the Kier Associates plan. We are still committed to that.

(McInnis): Bill, would the Klamath Council members be given a copy of the full draft.

(Kier): Yes, copies went to various interested parties and agencies, in addition to the task force members. We've got the count up to 79 interested parties during printing of Change 2, I requested 100 copies to be printed, now we have 99 interested parties as of this date.

(McInnis): Chapter 4 should be provided to the PFMC.

(Kier): We printed an additional 15 copies for my associates, and still get more requests for these copies, I'm charging \$20 per copy to any other people requesting copies.

(McInnis): The PFMC only received one copy of this plan.

(Kier): We put out copies in many public places, one especially to some members in the PFMC. I don't know who is on the council, is there overlap between the council and the technical team?

A: Yes, Del Robinson.

(Kier): Copies of Chapter 4 of the long range plan will be provided to the PFMC. One other point of discussion: When we met in Redding in April, I asked Jenny Clark to make sure that the plan speaks to people. The experience that I've had trying to write to the general public is that we use a lot of jargon and technical terms that the public may or may not understand. I brought her to the April meeting to help in that realm. I've brought some "collector edition" CDFG draft plans. I direct your attention to chapter 5 of this plan to show the task force an example of a well written, easily understood public information article (Attachment 7) is an excerpt from the 36 page article). The Task Force should address and budget for the production of a summary of the plan, such as this article, that you can distribute widely. There are 7,000 copies of this draft summary from CDFG which allows for wide public information. Jeannie Clark worked as the development editor on this draft summary.

(Shake): I agree. The USFWS has done this in Region 1, and have taken it back to Washington D.C. as an attention getter, as a result, we've increased our funding by millions. We need something easily readable

(Kier): I suggest that you reserve money to get this done.

Q: Question for Bill Kier, the nine page summary that went out; is it the same summary that we were given in the front of the plan? A: Yes.

Started to go to public comment period. Discussion regarding not following agenda. Discussion of procedure followed last year. Task force agreed to hear Bob Franklin's report on the TWG meeting.

Report of the technical work group (TWG) recommendations for projects to be included in FY91 work plan (Bob Franklin).

Each member of the group was given an opportunity to review the proposals prior to the meeting. The group provided a limited public input period during the TWG meeting to provide support of their proposals. We had a closed session to discuss the technical merit of the proposals, then we rated independently the proposals and produced the mean rating values. We had various rating criteria, five items of which were presented to us by the KFO to use for the rating procedure. We purposely avoided the socioeconomic aspects of rating because Ron indicated that it was difficult to enforce this part of the requirement of the "Act". You have in front of you our rankings, we had these particular concerns (not in prioritized order):

1) Where proposals were to provide staffing (the screen shop for CDFG), the TWG felt that a follow up report on activities should be provided so that assessment of the projects would be possible. In this case, CDFG would provide the report, however this is a generic concern, applicable to all staffing proposals.

2) Road reconstruction or fencing -- who pays, or shares cost? If a private land owner abused his own property, who's responsibility is it to fix the problem. The USFS roads were an important item of our discussion as being a real threat to the well being of the Klamath River watershed. We did not want to give amnesty to the individual users. An example is on the Horse Creek proposal about a farmer diverting most of the water for agricultural use. We felt that there should be some cost sharing to build a fish passage/diversion facility for this fellow. We questioned whether task force money should be used for this type of proposal. Where the situation exists that a landowner would receive great benefit, cost sharing should be mandatory. The Horse Creek problem is a law enforcement issue also.

3) The GIS system didn't rate high, not because of a lack of enthusiasm for this type of proposal. However, we didn't see the direct result in this particular proposal. This brought up the issue of feedback given to proponents so that they may make their future proposals better.

4) We have concerns that suction dredging impacts be addressed, but the proposals that we had did not address our specific concerns, however this is a real problem.

5) Concerned that where we would be doing work, such as instream, would be ineffective without proper watershed management. We wanted to see a change in land use management in addition to spending dollars in the creek. We viewed this as a treatment for the symptom and not a treatment for the cause. Symptomatic relief is short lived.

6) The way that the TWG reviewed the proposals.

7) We wanted a well coordinated educational effort. All projects should be consistent in the message of fisheries restoration they convey.

(Odemar): It appears that the TWG looked at the large issue of which areas need to be looked at, one is the "broken part" issue, who should fix it? Also, the issue of who would be a collection agency of information.

(Franklin): We rely heavily on one another's expertise and experience with specific proposals.

Q: Would you discuss the "Who fixes, Who pays" concern?

A: It appeared to us that if the private landowners would benefit from our funding, they should share with the costs.

Q: How did you address the problem of maintenance rather than fix-it money requested by the USFS?

A: There is no money out there to fix roads unless there's a timber sale.

Q: How did you tell us (Task Force) that you rejected a proposal with your rating system, but wanted us to notice these specific proposals?

A: The low rated proposals were not specified for special notice. We did provide specific concerns to the Task Force, those that I just listed.

Q: How will the TWG evaluate projects in the future?

A: We are aware that we need to understand where the most important work is needed, we can recognize where a problem is, but must know where we'll get the "biggest bang for our buck".

Q: What will we do to evaluate the projects to determine how well the projects worked, which we funded?

A: Most habitat restoration work is performed looking towards long term returns, an immediate increase in returns isn't expected. The Scott River system for instance, if we made all the right moves now, it is a long time until we see response in the runs.

(Shake): Part of Doug Alcorn's position is for evaluation of these projects.

(Bingham): I sat in on the meeting, and saw a very dedicated approach to this rating procedure and encourage feedback to us and to the proponents. We need to develop a good feedback process.

(Noble): The TWG was aware that the public wanted to participate in this Klamath Restoration project, but they have difficulty writing technically valid proposals. We felt that there needs to be better guidelines for proponents to follow.

(Wilkinson): I think that it's incumbent that a part of this work will be done by others, not necessarily the agencies. It's a product that should come from the task force, with help from the TWG. Direction is needed.

Report from the budget committee recommendations for projects to be included in FY91 work plan (Tuss).

Listed names of 6 members of the subcommittee.

(Tuss): The first thing the committee did was to discuss the TWG's work and their process, consensus was that they did a good job, provided us a scientific and well founded list of proposals. We didn't want to erode their good work by leap-frogging proposals. We discussed emphasizing proposals that put impacted user groups back to work, with more weight. We decided that 2 proposals were put into different categories. The task force needs to decide on the problem of weighing proposals based on the user groups being put back to work. We drew our red lines, and had the KFO staff present the results on paper. We noticed agreement on where the lines should be drawn in each category. Our initial funding sum equalled 1.5 million dollars, then we discussed the lines drawn in each category and any specific proposals. We finally decided on a \$1.2 million budget provided to you. We had a number of proposals that we wanted to bring to your attention specifically. There were four fish rescue proposals (170, 61, 57, 140b) under fish restoration, we wanted the task force to look at them and make a decision about the impacts that these rescued fish would have on fish in the river. Also, the pool cover proposal needed a closer look. There was also discussion about roads and associated problems and we concluded that the task force needed to decide on this. We also discussed some work that could be identified for FY90 funding.

Q: Why do the CDFG proposals have zero costs? Example, page 8, Shasta Weir has a cost of zero.

A: Those proposals didn't specify the exact funding needed.

(Bingham): We specifically did not reach down, we drew the lines without mixing and matching proposals.

Q: Did you have total consensus on the position of the lines in all categories?

A: No, the fish rescue, restoration proposals were questioned.

(Farro): We felt that there were some policy questions that the task force needed to decide on.

(Odemar): There were proposals positioned above the line that we didn't question at the time of the budget meeting, but now I and CDFG have concerns about some proposals that fell above the line. We reserved the right to discuss this now.

(Tuss): We did not rearrange proposal rankings, we did not want to undermine the work of the TWG. That may be why we only came up with \$1.2 million recommended funding.

(Hillman): Concerned with page 2, proposal #FP-1, which fell below the line in that category. The proposal fell below the line, however the budget committee agreed to recommend this specific proposal be funded with FY-90 funds.

Q: Were there any other recommendations for FY-90 funding, Craig?

A: No, but there are ongoing projects that have funding problems that are not on this list.

PUBLIC COMMENT PERIOD (with priority given to FY91 work plan recommendations).

(Risling): I'm here to make myself available to comment on the #E-5 proposal regarding production of a 30 minute video. We wanted to provide public education on the Klamath River indian fishery, specifically the Yurok tribal fishery. Two concerns caught my ear. The ability to produce the product and the cost effectiveness ranking criteria. This proposal is very cost effective. A video production usually costs about \$1,000 per minute to produce as a rule of thumb. We can produce this video at about 1/2 this cost. I want you to consider this when making the final funding decision. Our intent is to provide information to the public libraries, PBS TV stations.

Q: Why limiting to Yuroks?

A: We could extend that and do Indian fishing on the Klamath River. Also, the material and content would be subject to USFWS review.

Q: Any duplication on work being done in the other education programs?

(Farro): I have strong feelings about user group specific information. All user groups need to be equally represented.

Program Administration (PA) discussion.

(Shake): We have a revised budget in the KFO operating budget. Ron and I have discussed this proposal and have come to agreement. The \$80k overhead is a real part of the operations cost and shouldn't be left out of the package.

Q: You add the \$40K, the \$80K, and the KFO budget of \$320k to total operations cost?

A: Yes.

Shake: Announces meeting location for tomorrow's meeting place, for 8:00 am. meeting adjourned at 5:30 pm.

June 27, 1990

Meeting reconvened at 8:05 am.

General discussion ensued about providing direction to the budget committee for the FY92 funding process that would allow special consideration be given to those proposals that met the socioeconomic criteria specified in the "Act".

Lara speaking on behalf of the Indian tribes mentioned that the language in the "Act" specifically identified user groups targeted for employment. Bingham emphasized identification of the third group of people that depend on the Klamath River fisheries, not just the commercial and indian fisherman, and that this third group be included in the "target group".

Odemar added that the task force members on the budget committee reserved the right to bring up certain proposals for consideration at the task force meeting, regardless of how they were ranked.

There was general agreement with the following comments:

(Rice): Bob Franklin offered a system that the budget committee uses to weigh and decide this type of issue. Maybe we could use this system to rate the '90 funding proposals, and then look at the '91 funding proposals after using '90 funds. This may allow some of the lower ranking proposals to be funded in '91.

(Farro): The TWG left this problem to us, the task force. I think that socioeconomics are a valid concern to us.

(Shake): This year we can't go back to the budget committee and change their recommendations based on this weighing process, but we can do this next year. For '90 funding we can discuss proposals as they are presented or we can list those that have been recommended on this budget committee list. I suggest that we address those "special" socioeconomic proposals that we specify today as individual cases. Next year we can provide direction to the budget committee.

The Task Force shall provide direction to the budget committee for adding weight to those proposals that fit the socioeconomic criterion specified in the "Act".

Discussion of the Kier Associates project amendment. (Attachment 4).

(Kier): We're talking about the difference of my proposed add-on and the additional costs to stretch out the review process. We're talking about a budget regarding the extension, I also recommend addition of \$2,000 for extra copies. As you approach the allocation of unallocated '90 funds, I request \$30,000 of this additional funding for my project. Organization of this program, keeping track of surveyed habitat, fishing, etc. information system described in ch. 7 of the plan, this investment is a practical contender for funds passing through the state water resources control board. We're talking about a \$25 million per year program, and should be able to bring additional monies into the program. The task force shouldn't focus too closely on the \$1 million funding each year in this program.

Q: Would the additional 30K allow you to get the final product as described in the 15 June letter?

(Kier): Yes. We as contractors are overwhelmed with explaining our project to government agencies, there is an additional cost.

(Shake): Could you provide us with a revised schedule on your project? We need to plug this into our September meeting for review.

(Kier): I suggest that you re-schedule your 5 September meeting for about 5 weeks later and we will bring the upper Klamath basin information at that time.

Discussion of funding proposals with FY90 funds.

(Tuss): The proposal #FP-1 would employ tribal members of the Karuk tribe, assisted by the Arcata FAO office. Another proposal is the pond rearing programs being funded by CDFG, Indian, Elk, Camp and Bluff Creeks are getting Iron Gate fish for rearing, releasing in October every year. Because of budget constraints, they'll keep the fish through August in all ponds, CDFG is asking for \$26K to employ 7 people to finish the rearing project. Most fish are hatchery fish... no information exists to evaluate the effect of the pond reared fish. There is a concern with the funding process of Sept-Oct dating because additional funding is difficult to get.

CDFG has funding for only about ten and a half months, and they'll have the same problem next year.

(Hayes): We started this program in '79 with the Karuks. Several years ago we expanded the program into a full partnership program with the Karuks, which has been involved with late run chinook program. Our problem this year is that we were told to fire our seasonal help in April. We were able to get money and will try to correct next year's program with state money, but this year is in jeopardy.

(Barnes): Three of the streams are on Six Rivers Forest, and the pond rearing program has shown dramatic results in increased runs.

(Rice): I'd like to see project #193, the repair of the Shasta River fish counting facility moved up so that repair can be done this year for the fall run season. We need to know what's going on in this system, and would like to see it done this year.

(Hayes): We could get it done this year.

(Rice): Also, I'd like to see the proposal to rescue and rear steelhead, project #170 be funded.

(Odemar): I believe that it's already funded.

(Shake): For FY91? This is underway right now with '90 funds, the \$8K is to continue the program into '91?

(Odemar): For the budget period July '90 through June '91. It will be done this year... there's a budget overlap problem between the state and the federal side.

(Shake): We have federal and non-federal money in this project, and we need to include federal money in this list of work for '91 so they can continue operation after June 30, 1990. If this project is ongoing now, and we approve the budget today, starting July 1st, the state will fund it again? If we leave it in the '91 budget, it will be done this year and next?

(Rice): John, is there enough information to say that this is a successful program?

(John Hayes): We feel confident that we'll get good returns when we put a yearling steelhead out. These fish are rescued from the Scott River, reared and placed back into the system. We have proposals that would do that in Shasta River as well.

(Rice): Craig, there were four projects noticed by the TWG that were similar?

(Craig Tuss): It was pointed out that we were concerned with these proposals.

(Rice): The TWG identified three of the four for '91 funding, we could fund one with '90 funds.

(Odemar): Since Eagle Ranch has been mentioned, it is very likely that project 140b will be funded regardless of the task force actions. Number 140a may not be funded.

Q: Mel, what source of funds will be used for 140b?

(Odemar): I think prop 170 funding.

(Shake): OK, let's get a total on these proposals.

(Coburn): \$130,800.

(Shake): We can amend the Kier contract and pay for the additional \$30K add-on with '91 money. This would get us down to \$100K, close to the \$90K of the '90 funds.

(Farro): We discussed in the budget committee, who is responsible to fund special interest projects. The Karuk sampling proposal is something that BIA should help fund. I do feel that this work should be done.

(Hillman): This is a two year proposal.

Q: Who's responsibility is it to see that the work is done?

(Tuss): Alvis Johnson signed the proposal.

(Orcutt): This data is useable by everyone, not just the tribe.

(Bingham): I agree, we need to know this harvest information.

(Shake): We can pay Kier in October, remove the steelhead rescue proposal, because it's already funded by state, and end up with \$91.8k.

(Iverson): Our contracting officer told me that the policy for '91 funding is that no work shall be done before an agreement is signed.

NOTE: Following the meeting, Chairman Shake approved the following additions to the FY90 Federal Work Plan for the Restoration Program:

- o Amend the long-range plan to consider upper Klamath River basin issues (\$30,149). This item was moved from FY91 to FY90 funding to permit work to get underway before October 1, 1990.
- o Monitor the Karuk tribal subsistence fishery at Ishi-Pishi Falls (\$15,295). Only the first phase of this project will be obligated from FY90 funds, as funds are insufficient to pay the entire project cost. Remaining costs will be paid from FY91 funds.
- o Rear chinook in mid-Klamath ponds to yearling size (\$26,000).

The revised FY90 Federal Work Plan is attached (Attachment 10).

TASK FORCE DISCUSSION OF FY91 WORK PLAN.

(Shake): This concludes the '90 funding discussion. Let's talk about the '91 process. Any suggestions?

(Bingham): Speaking for the budget committee, we deliberately trimmed it down because we felt that some proposals would be specifically elevated in the funding process.

(Shake): I suggest that we take everything above the lines drawn by the budget committee.

(Odemar): I disagree, I have some problems because of information gathered recently.

(Rice): The budget committee had concerns about apportioning money to various categories. I agree that we are a little out of whack with almost 50% of money going to "non-ground" items. We talked in the past about

keeping the budget categories within specified limits. These "non-ground" items may be taking up too much of the money. We should get more money into "ground" items. Are there ways for us to take a better look at the non-ground items and reduce that spending? There should be some guidance.

(Bingham): I disagree, I think it's better for the TWG and budget committee to rate proposals on merit, and not be limited or have target dollar amounts that must be used. I agree that there is much non-ground money being spent, but we are in the non-ground work stages of this project, and this type of spending is necessary at this stage. We set levels last year, and I think it's better to evaluate proposals, then decide spending direction.

(Rice): I'm concerned with spending so much money in the classroom situation.

(Bingham): It is our responsibility in this meeting to speak those concerns.

(Orcutt): We in the budget committee never prioritized the proposals.

(Tuss): The committee agreed not to rank particular proposals based on the categories, just to spend money. There were some proposals that we wanted to select above others, but we were objective, and used the TWG ranking system, and felt that it would be better to use their evaluation.

(Bingham): We understood that this task force meeting is the arena to present discussion on specific proposals if there is special concern.

(Odemar): The federal money cannot exceed \$1 million, the state's latitude has been reduced in spending. The proposals submitted to the state RFP process must be considered for funding, those proposals that were not submitted through this process can't be funded.

(Shake): When we finish with this funding process, we'll look to see which proposals have been submitted through the State RFP process.

(Bingham): There needs to be information given to proponents so that they may decide who to submit their proposals to. I suggest that restoration funds be used to get this information out.

(Farro): Information regarding this is provided to proponents.

(Shake): There needs to be a point of contact in Ron's office to use criteria to decide which agency to submit proposals to. Mel, you need to identify for us which type of proposal has the best chance of being funded by the state. Otherwise, proposals would have to be submitted to Ron's office, and you and I would make the cuts, then process them accordingly.

CDFG will supply list of "kinds" of proposals that will probably be funded by CDFG.

Public comment:

(Colonna): We reduced the scale of our proposal because we understood that there was some surplus money in the '91 budget. We cut the amount of coverage in half to reduce this funding request.

(Shake): We have \$1.5 million to allocate today. The rationale from yourself and other proponents is for you to provide additional information in support of your proposal. Any modifications to your proposal would have

to be explained to the task force for consideration. You can discuss your whole proposal or the modified proposal to support your request. You need to identify your proposal and provide a brief review of your proposal for us to consider the project.

(Farro): The TWG and budget committees were in support of this project, but it didn't rank high for specific reasons. We have the chair of the budget committee, maybe he could explain this.

(Barnes): I'd like to go with mine, I have a short presentation.

** Floor yielded to Barnes by Colonna **

(Barnes): I direct your attention to the handout I gave you all yesterday. This is a proposal, #FP-8, for \$72,000. This is a continuation of a project for spawning utilization survey. This has been completed for '89 and '90, the proposal for the '91 budget is for 222 miles of river surveys for spring chinook, fall chinook and steelhead. The rating was 18th of 84 projects. The importance is that it is a continuation of the project, and the information gained is valuable to many of us. The handouts you have indicate the carrying capacity of the habitat, and indicate habitat types. The tributaries are listed as well, listing the relationship of the carrying capacity versus the actual spawning occurrence at this location. This is specific, useful information.

Q: How are the species differences indicated?

A: I don't have that information with me.

(Discussion of spawning utilization studies, value of data, etc.)

This is an intensive effort, the USFS is estimating contributing \$69K of the project, and asking for \$72K funding. Page 6 of the report: some recommendations regarding flow problems, poaching, lack of chinook spawning, etc. is useable data. We overlap with CDFG in some of the surveys, but they're not redundant because CDFG targets studying the escapement, we emphasize habitat surveys.

Q: Are these new stream miles each successive year?

A: The database is being expanded, the original 125 miles is in the study, they're being re-done.

(Odemar): So the work is being repeated. This presents some problems. I don't understand why this needs to be done every year. What are your plans for the future? Do we keep going over the same areas or do we get additional information from new reaches?

(Barnes): We want to get through one complete life cycle on the system to get an average value for spawning numbers and spawning habitat. (4 years.)

Q: What percent of total stream system is being surveyed in this 125 mile stretch?

A: About 80% of the "high value" spawning streams of the Klamath National Forest.

Q: Then this data will be a key for evaluation of spawning habitat for the restoration area? A: Yes.

Q: How was the survey done, regarding the utilization survey?

A: The process is modified each year.

Break at 10:00 am.

Reconvene. Return floor to Andy Colonna.

(Shake): Andy, would you identify your project.

(Colonna): This proposal is HP-1, the GIS proposal. The proposal format and your process create problems... You have a unanimous decision making process and this is difficult because of various interests. Your draft process has a problem also. We reviewed the list of priorities in the restoration project. We detected that in this list, you as a group realize that prevention of further degradation of fisheries habitat is of paramount importance. Also, the impacts of the logging and agriculture industries are recognized as a problem. We are trying to provide you a package concerning these subjects. This project is a cost effective way of getting a broad overview of the basin and will also provide for education and public involvement. At present, each user group and various agencies are different in their approach to manage and initialize restoration projects.

(Discussion about techniques of the GIS proposal)

We can provide you with '84 photographs and also purchase '90 photographs to compare effects of long term environmental degradation or improvements. By overlaying photographic information, you can accomplish your objectives of monitoring the overall KR system. A GIS can be tailor made to meet your particular objectives -- can be used to track sediment flow in the system.

(Colonna handed out revised proposals and budgets to task force members.)

Our proposal addresses both needs to understand the resource and what is happening to it as well. You can add information to this over time; for example, the Department of Interior may be able to buy the macro-view of the basin, also historic photo data prior to flooding and heavy logging. This proposal is for the start of a data collection system.

Q: Is the product a series of photographs and maps, a database, anything else?

A: You'll get a series of photos from '84 of the lower drainage, and the lower Klamath basin scene of '90. Also, key areas of sedimentation will be tracked backwards, into the historic records studying the logging and land uses in these areas, and purchase aerial photos of these key areas. The project can be specified by this group.

Q: Other than aerial photos, would we have a database to use later?

A: Yes, the data from the photos would have to be digitized in order to merge the various data displays into one computer format. This information is overlaid, and compared with the photographic information gathered in the series of photos.

Q: You would interface all types of data?

A: Yes, if you use the Trinity River and Klamath River confluence, you have CDF, USFS and private land ownership, all of which compile land use data differently, the right hand doesn't know what the left hand is doing.

Q: This is the lower Klamath River, or from Iron Gate down?

A: The revised proposal involves a portion of the basin, the upper basin to the lake could be purchased for an additional \$4,000.

(Member of the audience): You can get this information from Landsat.

A: Right, but you would want this information compiled into a presentable format. This is a dynamic educational tool as well as a tool to evaluate impacts over time.

(Discussion ensued about the computer support needed to operate the proposed GIS database. Costs per year for data management and additional data collection were mentioned for causes of concern by task force members.)

Specific comments and/or questions:

Q: Once the USFWS buys this system, what will it cost each year to keep it current?

A: That depends on how much up-dated information you want, and what type of cooperative agreement between the agencies there will exist. Conceivably after a year, you won't need us when the system is going, but there needs to be someone to organize this.

(Franklin): The TWG recognized the potential to develop a tool with this project, but we feel that this is the start of something big at this point. It is a very involved and ongoing system that needs to have a close and well studied look prior to jumping right into this. This study would require consulting experts in the GIS profession to get good prior advice.

(Sumner): This could be the beginning of an action plan to get this restoration work going.

(Comment from audience): There is information available in the GIS format, there is also overlap of study work within the basin. Also, to get started with a GIS, you're looking at \$200K the first year, and \$100K each year for annual system up-dates. It's going to cost money to keep it going.

Discussion of Kier Associates augmentation proposal.

(Kier): The question was how the augmentation affects the time line, and how it affects the final products. Nat's concern for the extension of the final review needs to be addressed. The middle of September would allow us to review it in time to meet the November finalizing date. The final task force meeting would be more appropriate for 25 October, 1990, instead of the mid September date. Also, my vision of the extension of the comment period, is to extend, but the small upperbasin integration of information to be amended be subject to a 30 day review, instead of the 60 day review of the overall plan.

Q: Do you have meetings scheduled yet to gather input on the plan?

A: We've met with folks on the reservation.

(Lara): You may not have had enough input with the Indian people on this project. We had previously decided to wait until the long range plan was out before we met for public comment from the Indians on the reservation.

(Kier): Sure, we can back track and have a meeting. You set it up, we'll schedule it with you.

Q: Bill, you're suggesting a less formal public hearing process?

(Sumner): He's asking for a conference at the local reservation area.

A: It's informational, necessary, and can be done in more than one location if requested.

Presentation of Project #65, Sediment Prevention/Control on Pine Creek.

(Orcutt): We have ongoing projects on Pine Creek, in FY90 we have a project to do habitat survey, and this '91 proposal is to implement instream restoration. The concern with the TWG was that it wasn't site specific, it was generic. Also, the concern with "Who fixes the problems" was also discussed. At present the tribe does most of the logging on the

reservation, but comply with 25 CFR, we're not blaming past managers, but would note that much of the watershed is held in private ownership. We're trying to buy the land and control that portion of the watershed.

(Odemar): Did the state rate this project high enough to be included in the budget?

(Hayes): I don't believe that it was.

(Franklin): No site specific sites were presented to the state, so we withdrew our proposal from the state and presented to the USFWS.

(Hayes): We listed it as a withdrawal, and didn't rate it.

(Odemar): Then this would have to be funded from the USFWS side.

(Hillman): There was a lack of background of the TWG regarding this proposal, that money has already been spent on this overall project, to identify where the problem sites were.

(Bingham): I'd like to see additional information that indicate site specific work, I then could support the proposal. There are areas in the Pine Creek drainage that do need quick response.

Q: Was this project automatically transferred from the state to the USFWS?

(Iverson): I don't see any reason why the USFWS couldn't fund this project.

(Comment from audience): Because many of the creeks are on private land and may not see restoration work in the near future, this might be a good opportunity to control and look at a watershed in the lower river.

(Odemar): Are we still looking at items below the red lines that we want to raise up?

(Shake): We're ready to begin looking at proposals.

(Odemar, providing information to the Task Force): There are 3 projects in Habitat Restoration category that will likely be funded by the state. They are #014, Bogus Creek project should be 4,000 sq. feet not 2,000 sq. ft of stream bed, which will bring cost in line; #047, Tectah Creek has been reduced to \$15k from \$150K. Also, #60, is expensive, and there may be sufficient money for funding. It doesn't have a high rating in the state system either.

(Hayes): To explain our system, last year the rating was drawn at zero, anything with a negative rating couldn't be considered, and Indian Creek had a small negative rating.

(Shake): We need to look at alternate funding sources.

(Sumner): What's the total on what we just took back?

(Coburn): \$112,362

(Franklin): Would the task force want the TWG to review the revised list of these proposals? There has been substantial alteration of some of the proposals.

(Tuss): Last year the CCC proposed doing \$800k+, worth of work, but they've revised and come down to \$80k, and would ask that the TWG review as an in-kind match.

DISCUSSION OF "ABOVE-THE-LINE" PROPOSALS, I.E. proposals recommended by the budget committee:

Rating of Proposal:

General discussion to rate proposals the same way as in the past years. Anyone with an objection should present their objection.

Discussion of proposal E-3: Develop education program for school children.

Concerns expressed by the task force members:

- o Alternate sources of funding education programs should be investigated. The task force should not be expected to fund state education programs.
- o The California education system should be encouraged to incorporate aquatic resources in the school curriculum.
- o The task force may be buying a product that has been bought by someone else before.
- o An evaluation of the first round of the education projects would help the task force to make an objective decision.

Q: Is this for competitive bid?

A: Yes

Audience: The education program was funded on the last day of FY89, and the curriculum materials will be available this fall. Trinity Co. was included in the program because they have no program of this nature. This is not redundant, it's new material and has specific educational stuff that the teachers can use in the classroom and in the field.

(Pierce): The task force adopted a five year education plan, and this proposal is one component of the plan. It is the mentor teacher component.

(Iverson): We don't have a final report from Diane Higgins yet to distribute. Diane suggested giving a presentation to the Task Force at this meeting, but I didn't think the agenda had time for that... perhaps at the next meeting.

(Shake): Hearing no objections, it's in.

Discussion of proposal #E-1: Educational field study, Kidder Creek Environmental School.

Concerns expressed by task force members:

- o Apparent duplication of effort by Diane Higgins' project.
- o Disease spread, lack of permit procedure cause for CDFG concern.
- o There is a need for someone in the KFO to coordinate and review proposals in the education category.
- o An end product should be identified for every education proposal, as well as the entire education program, headed by Tricia Whitehouse.

(Odemar): CDFG is developing a standard of education for this type of system because of disease spreading, etc. I would prefer that any aquarium projects be delayed until the state decides on the direction of this type of activity.

(Farro): I'm involved with these types of things, we heard the same objections last year, and if we hadn't acted, we would still not have

anything being done. There are criteria (permit processes) already developed that will allow for proper guidance concerning disease spread. We are working hand in hand with biologists on this project.

(Orcutt): I agree. We have a small operation such as this.

(Hayes): Some teachers may not be aware of the permit process that Mel referred to, if they don't comply, there may be problems.

(Odemar): I expressed concerns, but will not veto this project.

Discussion ensued about Tricia Whitehouse's position, whether she should coordinate the education projects, evaluate proposals and make recommendations to the task force and TWG. General agreement that she should perform this function.

(Rice): The key here is to allow this person to take all the education proposals, decide where we want to head with the education program, and evaluate specifically.

(Wilkinson): I would like to appoint Tricia as my representative to the TWG. The problem exists that unless she is a work group member, she can't participate in the evaluation process.

(Bingham): Reading from task 10 of her 15 tasks, "Manage the public information project..." also, task 11, "Coordinate the education program..." Sounds like this work is included.

(Odemar): Task 12 says that she will function as the technical evaluator of the overall education program. Evidently this has not been met.

Tricia is shown as part of your staff time, Ron?

(Shake): In fairness to Tricia, Ron had identified what she has done this past year. Do you want to continue considering the education programs, or allow Tricia an opportunity to evaluate the proposals before we act on them?

(Rice): We're talking about a small amount of money (\$40K). If the chairman wishes, the education committee can work with Tricia and evaluate the proposals.

(Wilkinson): When we wrote the five year education plan, were we specific in the public information portion of the five year plan, Ronnie?

(Pierce): Tricia's position was decided as necessary to coordinate a public education and adult education program. It was a compression of two positions proposed in the 1988 education program document, someone to head this part of the program up.

(Wilkinson): As I recall the decision to fill Tricia's job was by consensus of the task force.

(Shake): It has been suggested to table items on the Education category pending review of the education committee and Tricia.

Q: Does this include E-3?
Q: Isn't this a continuing program?
(Iverson): It would be a new contract award.

(Pierce): Tricia was at the TWG meeting, she contributed input to the decisions of the TWG.

(Iverson): If we go to this new procedure of having special review by Tricia and the education committee, we'll have to change the whole evaluation process.

(Bingham): Let's deal with this now... not later.

(Shake): I'm hearing a concern with the public information project. If we don't want this work, then let's say so... and not beat around the bush.

(Rice): I want the position to evaluate and coordinate this education program. The education committee has identified three specific goals (promote knowledge of anadromous fish, knowledge of the Klamath Restoration Program and task force, and knowledge of Klamath fish harvest management and the Management Council), and we haven't incorporated the goals in our project selection process.

(Sumner): We have selected people to the TWG, there has to be a confidence in the decisions that they have made about this program.

(Tuss): I think that you're rehashing what the TWG has previously done, Tricia has spoke to these projects... and we are all aware that there needs to be more done regarding advertising the work.

Audience: It's hard to second guess what the task force is looking for, and it's open ended for education proposals. I would recommend that you become more directive, and allow the KFO public information specialist to determine the direction that the education program needs to go. This would help us to know as proposers what you want and how you want it.

(Wilkinson): The public information program has nothing to do with classroom education, but It seems to be wrapped up into education in our grouping of project proposals. There is a loose interpretation of the two programs.

(Shake): Let's move through this category on the "above the line" proposals. We have identified the need for Tricia to coordinate and implement the education and public information program. And require a report of her activities. We will devote time for that report at our next meeting.

Consensus on E-1

Discussion of proposal #E-4: Portable information display.

Q: Will final product come to task force before final production?
A: Yes.

Q: Will this be public bid?

(Iverson): Yes, but the originator will have a good shot at getting the contract.

Consensus on E-4

Discussion of proposal #E-8: Basin wide public information program.

(Shake): This position will determine direction, evaluate, and report on activities of education program, just as we have previously discussed.

(Hillman): The last page on the '90 budget proposal, under supplies and materials, I thought we slides the previous year.

(Iverson): This is an ongoing process, she'll add slides to the slide/tape presentation each year.

(Coburn): She's adding to it, we've bought the equipment, the program has been on line a couple of months, and she's working out the bugs.

(Shake): This group seems to be concerned with what has been accomplished in public information the past year.

(Bingham): When Tricia presents her work at our next meeting, I'd like to see her slide show.

(Orcutt): Tricia said that she's at all the KFMC meetings, and we have the opportunity to get information from her.

Consensus on E-8

Discussion of proposal #E-6: Indian fishing brochure.

(Orcutt): We discussed the video yesterday, to include the other tribes.

(Risling): Yes, we'd have to get various blessings, etc. on this. There is room for expansion to include all tribes.

Q: Have we designed a brochure on the fishery?

(Iverson): Yes. The brochure Tricia has developed deals briefly with Klamath Fisheries.

(Risling): Our agency has been involved in restoration work in the past, and this video could address the stewardship use and responsibilities of the resource. We have a lot to show that a lot has been done.

(Bingham): The salmon stamp committee did a video on the fisheries as well and this video can be made available.

(Rice): It is important to have information for each fishery, not just a select few user groups.

(Bingham): I can get copies of these to you.

(Farro): There are various groups that want to get their information regarding their own particular fisheries, are we going to open up funding opportunities for all the fishing groups? I can't support it because it addresses one particular group. This proposal and the video proposal fall into the same category.

Q: Why not expand the proposal to include all user groups?

A: It's not in the proposal at present.

(Lara): There's been no documentation of fishing activities, this needs to be done. I'm in support of this, if 10 points were added to the video proposal, it would be above the line.

(Orcutt): It's a small amount of money, the proposers spent their time and are wanting to get this work done.

Q: Nat, who paid for your video?

A: It was not funded with federal money, but with state salmon stamp money.

(Pierce): This user group is a historic user, and an integral part of the fishery environment which should be presented as a whole.

(Shake): I support the proposal, I think all users have an opportunity to use money from this fund to tell the message of the importance of their fishery and how it applies to their needs and use. If we want to clarify what the indian's usages are, we should let them tell it. I wouldn't object to commercial fisherman coming next year for funding.

(Farro): This is restoration money, not to be used for private interests.

(Shake): Part of the restoration project is to make the public aware.

(Lara): There is no funding for indian tribes that we can access, such as the salmon stamp money.

Q: Does the BIA have funds past or present to support an information program?

(Risling): Not that I'm aware of. Our focus would be on the restoration activities that the tribe is involved with, therefore it fits into the "restoration" program. Also, I didn't want to bite off more than I could chew, I didn't want the scope to get too large. If this product is good, there may be requests by other user groups to do work for them. Where are the other user groups now?

(Myrick): I would not veto this proposal, however we will get into politics down the road after we do this.

Q: Don't all these proposals have to have a product that is identifiable by the task force?

(Shake): There is and end product that must be evaluated.

Proposal E-6 Vetoed.

LUNCH

Task Force discussion of FY91 work plan (continued).

(Shake): We are again discussing projects above the "red line" provided by the budget committee.

(Bingham): To speed the process, how about offering entire groups of proposals for approval, then dealing with exceptions. (Shake): Agree.

Discussion on Fish Protection category.

(Shake): Next work category is fish protection. Referring to the proposal list (Attachment 8), any comments on proposals above the red line?

(Farro): I don't feel Arcata FAO is making sufficient progress on their projects, but I am willing to support them for another year.

(Odemar): Craig, please review the Arcata FAO projects, tell us which ones will continue, and for how long.

(Craig Tuss): Referring to page 2 of proposal list (Attachment 8), Proposals FP-3, 4, and 6 are for projects with fixed time periods. The Blue Creek work (FP-4) would finish in FY92, at which time we will provide recommendations on managing that watershed. The lower Klamath tributaries studies (FP-3) continues through FY93. I can't provide an end date for FP-6, but it wouldn't be far in the future. FP-5 is a new proposal to trap fall outmigrants. I see this as a trial -- if we don't get satisfactory results, we won't continue.

(Lara): I would like to see the lower tributaries surveys speeded up... maybe survey more streams per year. If we have extra money, this would be a good use.

(Tuss): This could be done. Responding to Farro's comments, we have provided reports on the initial year of work on lower tributaries and Blue Creek. These reports indicate several changes and improvements we have made as the work has progressed. Our work is technically sound and we have evaluated it and upgraded methods as needed... so I am surprised and displeased at your comments.

(Farro): The work you have taken on in the lower river is difficult to perform, and the yearly reports seemed to indicate you have had some problems getting results. I have to respond to comments from my constituents that too much is being spent on studies.

(Orcutt): I consider the information being gathered by Arcata FAO to be quite useful. Also, note that proposal #193 has been advanced to FY90 funding. (Note: #193 was subsequently deferred to FY91 funding, on account of delays in obtaining a Corps of Engineers permit.)

Q: Does #017 include maintenance?

A: No - this is for screen construction.

(Shake: Any objections to Fish Protection projects above the red line (Attachment 8, page 2)? Hearing none, these projects are approved.

Discussion on Fish Restoration category.

(Shake): Next work category is fish restoration. Any discussion of proposals above the red line (Attachment 8, page 3)?

(Odemar): Three of these (005A, 005B, and 002) are already assured of Salmon Stamp funding.

(Rice): I would like to hear more about questions raised by the technical work group on the value of fish rescue projects.

Discussion of steelhead rescue/rearing:

- o (Tuss): The budget committee was concerned about the value of steelhead rescue projects, where the reared fish are planted, in the fall, in areas already occupied by natural steelhead.

- o (Ed Barnes): Competition with wild fish should be eliminated by rearing the rescued fish in ponds. (Tuss): There is still competition when they are released - often at sizes larger than natural fish.
- o Last year, there was concern about a proposal to release rescued steelhead at a smaller size.
- o (John Hayes): The hope is that steelhead will be smolted and ready to migrate when released. We in CDFG have rescued steelhead for years. Holding fish to yearling size will make these projects more effective, we hope.
- o Q: Any evaluation of these projects?
A: (Hayes): We plan to coded-wire tag steelhead rescued in the Hayfork Creek drainage, Trinity basin. This will be our first evaluation of the contribution of rescued fish.
- o (Orcutt): I'm concerned about these fish rescue projects being bandaids for habitat problems... and also about releasing fish at the appropriate size.
- o (Odemar): I support the fish restoration projects now under consideration. We should re-examine the current-year funding for project #117, to be sure we have provided enough money to get that project through the current rearing cycle.

(Farro): I move to approve all projects down through #140A and 140B, given that those two projects have been funded by the State.

Seconded.

Discussion of motion:

- o Questions on proposal #002:

Q: What fire is it intended to mitigate for?

A: North Fork Salmon fires in 1987.

Q: How could that fire affect present-day juvenile production?

A: Mostly through sediment deposition in streams.

Q: This is not an erosion control proposal. What is the rationale for it?

A: Decomposed granite in the North Fork Salmon reduces spawning success. Proposal #002 provides rearing to mitigate for this loss. Fry for #002 are provided by the Hammell Creek project (#005B). The two projects are a Salmon Stamp package intended to get more fish production from the Salmon River.

Q: Has CDFG evaluated the rearing site?

A: (J. Hayes): Yes - I have visited.

Q: Number of chinook reared?

A: 35-40,000.

(Farro): Glad that Alcorn has a fish culture background... we need more technical support in that area.

(Shake): Any objection to Farro's motion? Hearing none, the motion is approved.

Discussion on Habitat Protection category.

Discussion of proposal HP-9:

- o (Odemar): Mike Bird, our work group member, rated that proposal rather low. I would like to hear more about it. Absent a long-range plan, it is hard to say whether such a proposal meets our needs.
- o (Hillman): I share your concerns on this proposal. I request that Task Force members be provided with copies of project proposals, so we can review the details. I believe the claimed match of \$67,700 by the Forest Service is exaggerated... this is for a computer system that USFS had to purchase anyway, regardless of whether HP-9 is implemented.

Discussion of HP-3:

- o (Orcutt): This seems to have been placed in the wrong work category... probably fits better in Fish Protection. Even with this project left in the HP category, the amount of funding we are providing for habitat protection seems too small.
(Shake): We will consider proposals below the red line, so the funding amount may be increased.

General discussion of Habitat Protection proposals:

(Hillman): I have doubts about several of the proposals above the red line. It appears the work group, in their ratings, gave credit for the claimed Forest Service in-kind contributions without sufficient examination. The Task Force should scrutinize these claims further -- we need the detailed proposals for that purpose.

(Rice): Tell us more about your concerns.

(Hillman): The claimed contributions are nebulous, or are expenditures the Forest Service will have to make anyway.

(Shake): Any objections to Habitat Protection proposals above the red line? Hearing none, the four projects are approved.

Discussion on Habitat Restoration category.

Discussion of #112:

- o (Odemar): This proposal was rated low in the CDFG review system, so we probably can't fund. Our concern is that this kind of work should be funded by the Forest Service with fire rehab money. Another concern is that this proposal covers only the first year of nursery rearing of plants, and we can assume this cost will go on for some years.
- o (Orcutt): Planting of these seedlings should be funded by forest managers.
- o (Hillman): The proposal narrative for #112 says there will be a follow up proposal to plant the seedlings out... so it appears we could be faced with future additional costs.
- o (Rice): Regarding proposals with follow up costs in future fiscal years, the Task Force has funded a number of these. Why single out the Forest Service proposals for criticism on this point?

(Hillman): Proposal #112 requests funds for just one year, but there is a statement hidden at the end of the proposal that an additional proposal will be submitted to fund planting of seedlings. I am sensitized to Forest Service proposals... many of them seem to be formulated to mislead the Task Force, or use us.

(Rice): We would get a chance to approve or disapprove a future planting proposal, just as we have reviewed each phase of, for example... the Pine Creek work... so what's the problem?

(Hillman): Having funded the growth of seedlings, it wouldn't make sense not to fund planting.

Discussion of HR-9:

- o (Odemar): This proposal involves removing broadleaf trees and replacing them with timber species. This concerned CDFG staff -- it appears to amount to removing the streamside corridor of shade trees, and replacing those with timber.
- o (Sumner): Wonder where on Beaver Creek this project would be carried out.
- o (Tuss): The budget committee was concerned that the several proposals for work on Beaver Creek should be integrated with one another.
- o (Rice): The Forest Service received limited fire rehab funding which had to cover 260,000 acres burned in 1987. Why penalize us for having done this fire rehab work?

(Tuss): The budget committee felt this category should be relabeled Habitat Management. The budget committee shared much discussion over who is responsible for funding this type of work.

(Shake): I am surprised at all this discussion of two proposals that were rated high by the work group and lie above the budget committee's red line. With all the prior review of these, why are we nitpicking details here?

(Odemar): The budget committee didn't reshuffle proposals. We accepted the work group's ranking, and just drew a fund/no fund line...yet, some of us have concerns about specific projects that apparently weren't addressed by the work group. (Hillman): I concur. We just looked at funding and didn't address technical details. In fact, I haven't seen the project proposals, which were sent only to the technical work group.

(Farro): Regarding comments about proposals with future costs, we should be clearly told if we are going to be asked to fund such costs...and we need evaluation to tell us whether the projects are worthy of continuing funding.

(Tuss): As chair of the budget committee let me say that many of these concerns about Habitat Restoration proposals are new -- they were not expressed in the budget committee meeting.

(Odemar): Some of my concerns originated in discussions with our Redding staff. I did not have copies of proposals prior to the budget committee meeting, so wasn't prepared to discuss details.

(Bingham): Next year, project proposals should go to Task Force members, as well as to the work group.

(Shake): Any objections to Habitat Restoration proposals above the red line?

(Hillman): I object to HR-9... and am not happy with some others, but will let those go.

(Sumner): Concur on HR-9.

(Shake): All Habitat Restoration proposals above the red line are approved, with the exception of HR-9.

Discussion on Program Administration category.

(Shake): Let's consider the Klamath Field Office costs and Regional Office overhead as a package costing \$342,000. The 8% overhead has been reviewed before and I don't consider it negotiable. The earlier administration budget provided to the review committee, which displayed a cost estimate of \$400,000 for Yreka and Portland costs, assumed the Yreka office would be moving to more expensive office space in FY91. Bob Rice, let's discuss ways for Klamath Field Office to remain in Forest Service office space. Note also there is a chance of a Congressional add-on to fund program administration in FY91... or we will try to get that additional funding included in the President's budget in the future.

(Rice): It appears some of the earlier agreements on housing Klamath Field Office have been forgotten. I would be happy to assist in negotiating with Klamath National Forest on space lease.

(Bingham): Regarding the possibility of separate or additional funding to cover administrative costs, maybe salmon trollers could help in getting this sponsored by Congressman Bosco.

(Farro): The fact that administration is the biggest single item in the budget causes problems. When the Task Force recommended adding an evaluation position at Klamath Field Office, I think we assumed that a funding package for administration would be added to the Restoration Program.

(Shake): Hope we didn't mislead you on this. We didn't know last year -- and still don't know -- whether the additional money is forthcoming. Bear in mind the Fish and Wildlife Service absorbed all administrative costs prior to our FY89 appropriation.

(Rice): In seeking that funding, you might argue that the Klamath Act calls on the Fish and Wildlife Service and California Department of Fish and Game to administer the Restoration Program, and implies that the \$42 million authorization was intended for fish restoration.

(Shake): I agree, and we have used that argument.

(Shake): Any objection to approval of the first two proposals in the Administration category, totalling \$342,000? Hearing none, those items are approved.

Discussion of the budget process:

- o (Bingham): Comments on the process so far: The budget committee needs to function better. Too much stuff floated up to the full Task Force, which has caused us to take too long in formulating the FY91 work plan. We need a report on the budget committee process.
- o (Ed Barnes): One thing the budget committee could do would be to give you a report on projects that will likely result in costs in future

fiscal years.... perhaps a table of projected future costs, by fiscal year.

- o (Ronnie Pierce): In the first two years of annual work planning, it was felt the Task Force was too much enmeshed in discussing technical details. The technical work group was established to handle this task, and to report to you on their findings. It appears, however, that some Task Force members still want to take part in detailed technical review of proposals. I suggest you either open work group membership to Task Force members, or appoint technical people you trust to the work group. As a work group member, I am unhappy with the second guessing and belittling of our work I have heard from the Task Force today.
- o (Bingham): The budget committee didn't intend their product (Attachment 8) to be a finished budget. We deliberately left some work for the Task Force.

(Shake): These comments notwithstanding, I think we are moving toward a pretty good work plan for FY91, and our process has worked reasonably well.

DISCUSSION OF PROJECTS BELOW BUDGET COMMITTEE RED LINES.

(Shake): How much have we obligated so far?
(Lila Coburn): \$1,186,269.

(Shake): I understand the State can contribute about \$0.5 million toward the Restoration Program, so our spending ceiling for FY91 should be about \$1.5 million.

(Odemar): Note that Project #003 in the Fish Restoration category, while above the red line, probably won't be implemented because of a shortage of chinook eggs at Iron Gate hatchery.

At this point, Bill Shake departed, replaced by Nat Bingham as Task Force chair and by Craig Tuss as Interior Department representative.

At this point, Chairman Bingham revised the order of the agenda to insure that discussion of the FY91 work plan would not crowd out several other agenda items. Discussion turned to the following four short agenda items, then back to work plan formulation.

DISCUSSION OF NEXT MEETING.

(Bingham): I would prefer a meeting in the last half of October. Any objections to October 18-19? Hearing none, the meeting is planned for those dates, in Yreka.

TASK FORCE NOMINATIONS TO CONTRACTOR SELECTION REVIEW PANEL FOR THE FY90 INCREMENT OF THE CLASSROOM EDUCATION PROJECT.

(Iverson): The Task Force indicated earlier they would like to see the classroom education project awarded competitively as a contract. Last year, proposals of prospective contractors were reviewed by a technical panel, and I believe this will be done again, before the end of FY90. Our contracting office informed us that Task Force members could participate in the review panel if they are Federal employees. We will confirm that requirement.

Task Force nominations to the review panel: Myrick, Orcutt, Shake, and Wilkinson.

PROCEDURES FOR NEW APPOINTMENTS WHEN TASK FORCE TERMS EXPIRE.

(Iverson): The Klamath Act provides for four-year appointments to the Task Force and Management Council. Most of the initial appointments will expire in the first half of calendar 1991. Klamath Field Office will send letters to the various appointing authorities, reminding them of the need to make new appointments.

OTHER NEW BUSINESS.

(Lara): I provide a statement from the Yurok Transition Team (Attachment 9) commenting on the draft long-range plan, and on the annual work planning process.

RESUME WORK PLAN FORMULATION.

Special requests.

(Bingham): We're now open for special requests.

(Tuss): I nominate #E-5.

(Sumner): This would include all 3 tribes.

(Risling): Restoration efforts are the highlights anyway.

(McInnis): The task force shall have opportunity for script review.

(Farro): Unless it includes all user groups, I object.

(Risling): We could handle that type of project, but not at that budget level. We can be more cost efficient focusing on our own areas, but I'd have to rethink the budget figures.

Q: What other groups, Mitch?

A: All users, this shouldn't become an annual debate. We'll be subject to this type of proposal every year if we ok this proposal.

(Risling): With restoration efforts as a focus, we can identify other user groups but may not be able to identify their restoration projects.

(Bingham): We'll set aside for now and hear other nominations for additions to the FY91 work plan.

NOTE: Proposal E-5 was not approved.

Discussion of Fish Protection proposals:

(Bingham): The line is above #FP-8, any nominations.

(Wilkinson): I nominate #FP-8.

(Lara, discussing FP-3): As far as USFS stepping up their time frame...

(Tuss): I'll have to go back and see what it will take to step up our rate to give a valid number to the task force. I can't give an answer today.

(Bingham): Is there a strong feeling in the group to step up the work?

(Wilkinson): I understand that this will be addressed later between Craig's group and the tribes.

(Bingham): Back to FP-8... any objections to it's inclusion?

(Orcutt): Yes. I object because of overlap with CDFG work being done in area. It's spawning habitat only, I don't know of any studies that have defined utilization, area, etc.

(Bingham): OK, FP-8 isn't going to be funded.

(Odemar): I would ask for a peer review on these proposed studies, so that they may be picked up in the future. I don't intend to forget this project.

(Bingham): The KFMC and TWG teams may be interested in reviewing the proposals.

Discussion on Fish Restoration proposals.

(Bingham): The line is presently below FP-140b... any nominations for inclusion?

Hearing none, let's proceed to next category.

Discussion on Habitat Protection proposals.

(Tuss): I'd like to nominate a revised HP-1.

(Myrick): I support this.

(Hillman): I think that this has potential for being a useful tool in the future, but not interested in putting it above the line at this time. I would like some further clarification on products and budget... too sketchy, need more detail.

(Bingham): I'd point out one thing, unlike an agency, this is being offered by a private contractor, the opportunity may not exist in the future.

(Sumner): I think it's a good tool.

(Tuss): I support this except for two reasons... who will parent this child when it's born? and; What can the finished products provide to the task force of value? How will we evaluate the usefulness.

(McInnis): As Keith pointed out, NOAA has data that will play into this, also with this modified proposal, there's good potential... I support it.

(Orcutt): I support the project, with interface of data from other agencies, this is going to be an ongoing thing and has good potential.

(Bingham): Are we willing to fund this?

(Iverson): We may not be able to fund this the way you've changed it now. Also, I don't understand your first comment about parenting.

(Orcutt): I'd like to include the entire basin, which includes the \$36k total budget.

(Bingham): We've moved #HP-1 up.

(Bingham): Any others HP-proposals to include? None.

Discussion on Habitat Restoration proposals.

(Bingham): There's a line above #109. Numbers 014 and 047 have been moved up, but not accounted for in the budget.

(Tuss): I'd like to nominate #014.

(Odemar): The state will probably fund this project.

(Bingham): Hearing no objection... it's in. Any others?

(Odemar): Is the #047 going for further review by the TWG, it's not a final "NO" yet? Craig withdrew his nomination, so I'd like to nominate #047.

(Bingham): Any objections?

(Hillman): I can't support this because I didn't like the idea before and I still don't like the idea now that the price is lower. I'm concerned about who will do the work and how the work will be done.

(Tuss): There were some problems that I was concerned about also, now I'm concerned with what skeletal portions are left.

(Farro): I'd like to see what the new proposal is before we evaluate whether to fund this.

(Odemar): Number 060. It's iffy whether it will be funded with CDFG funds, I'd like to see it included.

Q: If it isn't funded by CDFG, why?

(Odemar): It's expensive, CDFG feels that it would be good to get it done, but they don't want to spend that kind of money on the project, that's why it is ranked low. If there's lots of surplus money, it may get funded.

(Bingham): It's been offered for a match, not for federal dollars.

(Wilkinson): If it's only for a match, no objections.

(Orcutt): I object.

(Bingham): It doesn't qualify then.

Any other nominations?

#065: Pine Creek?

(Odemar): I support this if site specific locations are identified, but the federal money has to be spent -- no state funds. I don't want to leave them hanging.

(Bingham): Site specific information will be prepared.

(Farro): I hope that cost effectiveness is a part of this site specific information.

(Bingham): Any objections to this proposal with these conditions? It's included.

Any other nominations?

(Tuss): I'll nominate HR-10

(Hillman): I object, It's not our job to fix forest service roads.

(Bingham): Any other nominations? We're at \$973k, federal money obligated.

(Iverson): The money total does not include the planning amendment for the Kier plan. This is 30k.

(Coburn): Final Federal money is \$1,002,925. State money is \$316,999. Total is \$1,319,924.

NOTE: Work Plan changes subsequent to the June meeting revised these figures to: \$1,023,078 Federal; \$329,465 State; Total \$1,352,543. Proposals approved by the Task Force to be included in the FY91 work plan of the Klamath Fishery Restoration Program are displayed in Attachment 11.

(Farro): The regional water quality control board will meet today at 5 o'clock to discuss the DG problems on the basin.

(Bingham): Our next meeting will be in Yreka, October 18-19, 1990.

Meeting adjourned.

Corrections to the minutes provided by Mel Odemar for notes of Task Force meeting held June 26-27, 1990.

Page 5. Spawning escapement estimates and hydroacoustic weir trial.

(Odemar): ... 3rd sentence should read: The weir tests were successful, but problems with funding and staffing on the Salmon River project prevent the department from operating the weir on a continuing basis.

Q: ...

A: ... 4th sentence should read: We're reducing the wildlife management programs because of license revenue shortfalls.

... 6th - 9th sentences should read: New tax law revenues may not help in '90-'91. It's bleak now. The Proposition 117 mountain lion initiative set up a permanent ban on hunting and established a 30 year program for habitat acquisition. Part of the money may come out of sources that would be used by CDFG for other restoration projects.

Page 10. 1st statement by McInnis should read:

(McInnis): The planning and staffing is contributed by the NMFS.

Page 29. 4th statement by Odemar.

(Odemar, providing information to the Task Force): ... 2nd sentence should read: They are #014, Bogus Creek project should be 4,000 feet not 2,000 feet of fencing, which will bring cost

MC ODEMAR.

KLAMATH RIVER BASIN FISHERIES TASK FORCE

Attendance Roster, June 26-27, 1990 meeting in Eureka, California.

<u>Task Force Members</u>	<u>Members</u>	<u>Representing</u>
Nat Bingham	(Chair)	California Commercial Salmon Fishing Industry
Don DeVol		Del Norte County
Mitch Farro		Humboldt County
Leaf Hillman		Karuk Tribe
Walter Lara, Jr.		Yurok Tribe
Rod McInnis	for Fullerton	National Marine Fisheries Service
Howard Myrick		Trinity County
Mel Odemar		California Department of Fish & Game
Michael Orcutt		Hoopa Indian Tribe
Robert L. Rice		U.S. Department of Agriculture
Bill Shake		U.S. Department of the Interior
Dick Sumner		California In-River Sport Fishing Community
Keith Wilkinson		Oregon Dept of Fish & Wildlife

<u>Others Attending</u>	<u>Representing</u>
Roger Barnhart	USFW, CCFRU
Ed Barnes	Dept of Water Resources
Jerry Barnes	U.S. Forest Service
Robert Franklin	Hoopa Valley Tribe
John M. Hayes	CDFG
Pat Higgins	Kier Associates
Bill Kier	Kier Associates
Chuck Lane	Fish & Wildlife Service
Bill Mendenhall	Dept of Water Resources
Jene McCovey	Kurok member
Sandy Noble	U.S. Fish & Wildlife
David O'Neill	Yurok Hoopa Valley
Ronnie Pierce	Yurok Transition Team
Bill Risling	NCIDC
Del Robinson	Bureau of Indian Affairs
Sari Sommarstrom	Kier & Associates
Phil Towle	SFTWA
Cheryl Tupper	Klamath Tribe
Rayson Tupper	Executive Committee, Klamath Tribe
Jon Wood	NCIDC

KLAMATH RIVER BASIN FISHERIES TASK FORCE
MEETING AGENDA
26-27 JUNE 1990
EUREKA, CALIFORNIA

26 June. Conference Room, Red Lion Motor Inn, 1929 4th Street, Eureka, CA.

9:00 a.m. Call to order. Correction and approval of minutes and agenda.

9:15 Report on status of work plans for Fiscal Years 1989 and 1990.

- o Non-Federal work plan (Odemar).
- o Federal work plan (Iverson).

10:15 Break.

10:45 Reconvene. Reports on completed FY1989 projects.

- o Scott River sediment survey (Siskiyou RCD).
- o Spawning escapement estimates and hydroacoustic weir trial (CDFG).

11:30 Task Force comments on Federal rulemaking on in-kind contributions to the Restoration Program.

Noon Task Force recommendations on travel appropriate for FWS reimbursement.

12:30 Lunch.

1:45 Reconvene. Report on planning activities of the Klamath Fishery Management Council (Wilkinson).

2:15 Task Force discussion of Solicitor opinion on extending Restoration Program to upper Klamath River basin.

2:45 Report on long-range planning (Kier Associates).

3:00 Break.

3:30 Reconvene. Report of the technical work group and budget committee: recommendations for projects to be included in Fiscal Year 1991 work plan (Chairpersons of the two groups).

- o Summary of procedures used to arrive at recommendations.
- o Summary of recommended project proposals.
- o Rationale for recommended funding allocation among work categories.

4:30 Public comment (priority given to comments on FY91 work plan recommendations).

5:30 Adjourn.

27 June. Humboldt Bay Harbor Recreation and Conservation District meeting room, 601 Startare Drive, Eureka, CA (Woodley Island Marina complex off Hwy 255).

8 a.m. Reconvene. Development of FY91 work plan (continued).
Description of State and Federal approval and funding processes, and anticipated amounts of funds available (Odemar, Iverson).

9:00 Task Force discussion of FY91 work plan.

10:00 Break.

10:15 Reconvene. Task Force discussion on FY91 work plan (continued).

Noon Lunch.

1:15 Reconvene. Task Force recommendations on FY91 work plan.

2:00 Task Force nominations to contractor selection review panel for the FY90 increment of the classroom education project.

2:30 Procedures for new appointments when Task Force terms expire (Iverson).

2:45 Other new business.

3:15 Discussion of next meeting.

3:45 Adjourn.

The Fish and Wildlife Service has identified a funding need of \$1 million for the Klamath Fish Restoration Program in FY89. This is a somewhat arbitrary figure. The FWS proposal is supported by the Secretary of the Interior, but has not been reviewed by the Office of Management and Budget. The outcome of OMB review is unpredictable, and there is no assurance that Klamath funding will be included in the President's budget.

Report on Draft Rulemaking for non-Federal Contributions Ron Iverson distributed copies of a draft rulemaking for Task Force review. The following revisions were requested by the Task Force in the rulemaking section, "Standards for non-Federal Contributions to the Program."

Draft standard: "The primary objective of the contribution shall be restoration of anadromous fish stocks in the Klamath River Basin Conservation Area."

Revised standard: "The primary objective or result of the contribution shall be restoration of anadromous fish stocks in the Klamath River Basin Conservation Area, and shall include habitat restoration, fish production, and population monitoring as determined by the Task Force and approved by the Secretary."

Draft standard: "The proposed project shall be initiated during the 20-year authorization period (October, 1986 - September, 2006) of the Program. Projects which were substantially in existence prior to October, 1986 will not qualify as in-kind contributions."

Revised standard: "Projects which were in existence prior to October, 1986, will be individually reviewed by the Task Force to determine if they qualify as in-kind contributions."

A motion to approve the above revisions was approved by consensus. This decision was preceded by extensive debate, summarized below.

Discussion centered on the issue of whether existing or ongoing non-Federal activities could be accounted toward the 50 percent non-Federal contribution required by Section 6(b) of the Klamath Act.

Some Task Force members argued that a number of existing/ongoing State-funded projects serve the objectives of the Klamath Act, and many of these are identical or similar to specific projects identified in the "CH2M-Hill Report," and the State of California should not be penalized for getting these actions underway before 16 U.S.C. 460 ss was enacted. Further, it is unlikely that substantial new State funding will be added to existing programs to meet the matching requirement of the Klamath Act. On this point, Mel Odemar noted that matching funds included in the CDFG budget by the State Assembly had been deleted by Governor Deukmejian, pending a work plan displaying how they would be expended.

An opposing view expressed by some Task Force members was that the Klamath Act intended to bring about a new \$42 million fish restoration program. The effect of counting existing non-Federal projects as matching, no matter how worthwhile those projects may be, would be to reduce the Restoration Program to \$21 million. Several members said they felt the intent of the law is to bring about new non-Federal funds or projects. Rod McInnis said he felt that some ongoing non-Federal projects could count as matching, but not past, completed projects.

Keith Wilkinson suggested that some non-Federal matching funds might be raised through sale of a stamp, with proceeds dedicated to Klamath fish restoration. California Department of Fish and Game might be able to administer such a program.

Phil Schafer suggested that employment and training be added as a legitimate objective for projects proposed as non-Federal contributions. An example would be California Conservation Corps projects which benefit anadromous fish. No action was taken on this proposal.

Chairman Steucke indicated that lack of a Task Force consensus on non-Federal contributions might delay or stop development of Federal regulations on this issue, and would adversely affect our ability to get Federal funding. The Task Force subsequently approved the amended standards for non-Federal contributions identified above.

Discussion then turned to Section 84.2 of the draft rulemaking on non-Federal contributions dealing with volunteer services. There was some indication by Task Force members that the proposed procedures, which adhere to the Fish and Wildlife Services' Administrative Manual, are too cumbersome. An opposing view was that established, formal procedures for volunteer services are preferable to less formal procedures that might leave local governments or property owners liable.

A motion was then passed, by consensus, to endorse the draft rulemaking - as amended - "in principle," recognizing that extensive editorial changes may result from further review within the Federal system. Chairman Steucke said he will alert the Task Force to any substantive changes in the proposed rulemaking that may result from internal review. The amended rulemaking is attached hereto (Attachment 3).

Discussion of Task Force Operating Procedures The 31 August draft Operating Procedures were extensively revised (see Attachment 4). A motion to adopt Sections 1, 2, and 4 of the revised Procedures was passed by consensus. Consideration of Section 3, dealing with a Technical Advisory Team, was deferred pending a decision on forming such a group.

Rod McInnis and Jim Smith suggested that Operating Procedures be written to provide for liaison with the Klamath Fishery Management Council and the Trinity Basin Task Force. The subject was deferred until next meeting.

Public Comment Jim Kerns of Klamath Falls described a proposal for offstream storage in upper Klamath Basin. Benefits would be an increased water supply in summer for irrigation and fish. He requested that the Task Force provide him with information on instream flow needs for anadromous fish in the Klamath River.

Report on Status of Fish Restoration Work in Klamath Basin An overview of existing and ongoing fishery projects in Klamath Basin was distributed (see Attachment 5). This material includes projects funded by the State of California, the Bureau of Reclamation, and Pacific Power and Light Company. A relatively small number of projects funded by other agencies remains to be added to the inventory.

Mel Odemar, who developed the inventory with Ron Iverson, pointed out that most of the habitat improvement, screening, fish passage, and rearing structures called for in the "CH2M-Hill Report" have been constructed. Further, many of the deviations from the CH2M-Hill Action Plan in these

project categories are the result of new information and new priorities since Action Plan was developed.

It was agreed that the handout material would not permit a detailed comparison with the CH2M-Hill Action Plan for use in developing a Fiscal Year 1989 budget justification. Mel noted that such a detailed comparison - including specific reasons why certain CH2M-Hill projects have not been built while other projects not identified in the Action Plan have gone ahead - would take considerably more time.

Discussion then turned to how much detail is needed for a budget justification. Wally Steucke said that, based on his experience with OMB review, a relatively general justification would suffice. For a \$1 million request, about five or six line items should be identified. Task Force suggestions for what these line items might be included subbasins (excluding the Trinity) and types of mitigation measures.

Nat Bingham asked whether an estimate of non-Federal expenditures would be needed to accompany the budget justification. Mel Odemar replied that, counting back through 1983, about \$3.5 million of State Funds have been so expended.

Odemar also suggested that the budget justification display updated priorities. For example, inadequate flows remain a major problem, and a first step in addressing it should be to identify instream flow needs, using modern techniques. This is expensive and deserves mention in the budget justification. This led to discussion of whether the instream flow problem might be too intractable to take on, and whether the Klamath Act provides authority to conduct studies. Steucke replied that Congressional authority exists to fund studies, but getting the funding will require satisfying OMB.

Chairman Steucke asked the group for ideas on how to prepare a budget justification for FY1989, and how to develop an action plan for the Klamath Restoration Program. Following up on a suggestion to use workgroups, Wally directed that a work group be formed to (1) complete a detailed inventory and analysis of completed fish restoration work as well as unmet needs, using CH2M-Hill as a baseline, and (2) to begin work on an action plan for fish restoration. A milestone date for item (1) will be the March, 1988, meeting of the Task Force, at which time the work group will provide a report for Task Force review.

It was agreed this work group should draw on technical knowledge of some agencies not represented on the Task Force. The California Department of Water Resources, the Bureau of Indian Affairs, and the Soil Conservation Service were mentioned. Assistance of these agencies will be requested by letter from the Task Force chairman. Task Force agencies mentioned for representation on the work group were the Fish and Wildlife Service, the Forest Service, California Department of Fish and Game, the Hoopa Tribe, and Siskiyou County. Ron Iverson was directed to develop a format for the project inventory and to chair the work group (assignment made after the Task Force meeting).

Chairman Steucke also formed an ad hoc committee of Task Force members to provide a description of how Federal funding for the Klamath Restoration Program, now estimated at \$1 million, would be spent in FY1989. A description of non-Federal matching contributions of approximately \$1 million would also be provided. Completion date for the committee's work would be the March, 1988,

June 15, 1990

Robert W. Gable
U. S. Fish & Wildlife Service
Contracting and General Services
1002 N. E. Hollloday Street
Portland, OR 97232

Dear Mr. Gable

This is a proposal to amend the planning scope, completion schedule and total price of Contract 14-16-0001-89013(RWG), "Development of a long-range plan and environmental assessment for the Klamath River Basin Conservation Area Restoration Program". It is our understanding that this proposal will be considered by the Klamath River Basin Fisheries Task Force at the Task Force's June 26 meeting in Eureka.

In the course of developing the long-range plan to guide the 20-year Klamath Restoration Program, the Task Force has become increasingly aware of the relationship of water quality conditions in the upper River to the Basin's long term fisheries restoration potential. Although this relationship has been noted in earlier Basin fishery studies, including the 1985 Klamath River Basin Fisheries Resources Plan, its impact on the Basin's long term fishery restoration potential has not been explored adequately.

Before moving forward with an assessment of Upper Basin water quality issues, the Task Force sought counsel on whether Restoration Program efforts were necessarily limited to the California portion of the Klamath River. The May 11, 1990 response from the Department of Interior's Regional Counsel (copy enclosed) makes clear that the Klamath Restoration Act (16 U.S.C. 460ss-1) in no way limits the Task Force from investigating restoration issues in the Basin's historic, as well as its present-day anadromous fish habitats. Consequently, the Task Force has asked us to identify the tasks necessary to complete a review of upper Basin water quality considerations pertinent to long range planning for the Restoration Program and to determine how the performance of the tasks would increase the time and cost provisions of our current, above-referenced contract.

We have determined that the upper Basin assessment contemplated by the Task Force would increase the planning contract costs by \$23,838.00 and would require an extension of the contract term to November 15, 1990 to permit completion of the additional tasks. The additional tasks that would be performed under the amended contract, and the costs of performing those tasks, are described in the enclosure.

Villiam M. Kier Associates

We will review this proposal with the Klamath River Basin Fisheries Task Force next week and, assuming they wish to go forward with it, we will await word from your office before proceeding further.

Sincerely,

A handwritten signature in cursive script that reads "Bill Kier". The signature is written in dark ink and has a horizontal line extending from the end of the name.

WILLIAM M. KIER

cc: Ron Iverson

Upper Klamath River Basin Water Quality Concerns
Augmentation Proposal, USFWS Contract 14-16-0001-89013(RWG)
"Development of a Long-range Plan and Environmental Assessment,
Klamath River Basin Conservation Area Restoration Program"

Habitat Protection

The Klamath River Basin Fisheries Task Force recognizes the need to consider the effect of water quality conditions emanating from the upper Klamath River on fish habitats in the balance of the Basin. The planning team will meet with the responsible personnel of the U. S. Bureau of Reclamation, Pacific Power and Light Co., City of Klamath Falls and others responsible and knowledgeable in water project planning and operations in order to identify (1) more precisely how present water quality conditions in the Klamath Basin above Iron Gate Dam affects fish habitat throughout the length of the River (2) how such quality conditions might be improved to promote the restoration of anadromous fish below Iron Gate Dam and (3) how planned water development programs might impact Klamath Basin anadromous fisheries restoration outlooks and how the plans and programs of the upper Basin agencies contribute to the implementation of the Restoration Program.

The State of Oregon is engaged in an adjudication of the water resources of the upper Klamath River. The origin of these proceedings was a petition filed by the U. S. Department of Interior to secure a water supply for a national wildlife refuge. The Klamath Indian Tribe has, subsequently, become a major party of interest to these proceedings. The Tribe is particularly interested in improving water quality conditions, through the adjudication process, to protect key fish habitats.

Based on field inspections, literature review and consultations, the planning team will assess anadromous fish habitat protection-related upper Basin water quality conditions and propose objectives, policies and priority actions for the Task Force's consideration and incorporation into the long range plan concerning the water quality effects of proposed, as well as present-day dams, diversions and water practices in the upper Klamath River Basin.

Habitat Restoration

There is substantial concern, based on preliminary water quality information, that present-day habitat conditions in the Klamath River below Iron Gate Dam may be adverse to suitable chances of survival of both hatchery- and naturally-produced juvenile anadromous fish. The California State Water Resources Control Board's first-ever Statewide Water Quality Assessment

(SWRCB, Division of Water Quality, April, 1990), for example, notes that "sedimentation and elevated water temperatures have (adversely) impacted fishery resources" in 126 miles of the Klamath River.

The planning team will compile and update information concerning the inter-relationship of Klamath River water quality, fish habitat and fish survival potentials and identify objectives, policies and priorities for improving water quality/fish survival conditions both instream and at the Iron Gate Hatchery.

Population Restoration

The Task Force has been petitioned by, among others, the Klamath Indian Tribe to consider the re-establishment of anadromous fish populations in the upper Klamath River -- that is, above the presently-impassable Iron Gate Dam. According to the last substantial assessment of the upper Basin anadromous fish re-introduction question (Fortune, ODFW, 1966) the most formidable obstacle would be the quality of water in Klamath Lake, particularly the inability of outmigrants to survive the passage through the lake.

Modest programs of Klamath Lake water quality analysis have been conducted off and on since 1966, including those of the U.S. Corps of Engineers. The planning team will review the Klamath Lake water quality information developed since 1966 in an effort to determine whether trends have developed that should modify the earlier view of outmigrant survival problems there.

Public Involvement

The Klamath River Basin Fisheries Task Force has made a special effort to inform the public about, and provide the public the opportunity to participate in the development of the Long-range Plan for the Klamath Basin Restoration Program. The planning team will maintain this policy by assisting the Task Force to conduct a public meeting in Klamath Falls, Oregon, to provide upper Klamath River Basin citizens an opportunity to comment on water quality conditions and related matters of interest to the Task Force in the completion of its long range plan for the Restoration Program.

Program Administration, Plan Maintenance

The planning team will compile the issues identified by the fishery and water development specialists and the public, together with the findings from our research, into a report to the Task Force recommending objectives, policies and action

priorities concerning the present and potential effects of water quality conditions in the upper Basin that appear to impinge on the Restoration Program and its chances for success.

Our report will be submitted to the Task Force no later than November 15, 1990 in a form that can be incorporated directly into, and maintained as elements of the long range plan for the Klamath River Basin Conservation Area Restoration Program.

Budget and Personnel Requirements for the
 Upper Klamath Basin Water Quality Augmentation Proposal
 USFWS Contract 14-16-0001-89013(RWG)
 "Development of a Long-range Plan and Environmental Assessment,
 Klamath River Basin Conservation Area Restoration Program"

Professional services

Planning project director	104 hrs @ \$45	\$4680.00
Resources planning specialist	116 " @ 35	4060.00
Water quality specialist	169 " @ 35	5915.00
Fishery biologist	114 " @ 25	2850.00
Total, professional services		\$17505.00

Direct expenses

Auto mileage	3240 @ \$00.30	972.00
Per diem, days	19 @ 78.00	1482.00
Phone, postage		875.00
Photos, copies, printing		490.00

Total, direct expenses	3819.00
Adminstration, @ 10%	2514.00

TOTAL COST OF CONTRACT AUGMENTATION.....\$23,838.00

From: 1990 Water Quality Assessment, Division of Water Quality, State Water Resources Control Board, Sacramento

REGION: 1

WATER BODY FACT SHEET

WATER BODY NAME: Klamath River

TYPE OF RESOURCE: River, Stream or Creek

LOCATION: IRON GATE DAM TO MOUTH

TYPE OF PROBLEM/NEED:

SEDIMENTATION AND ELEVATED WATER
TEMPERATURES HAVE IMPACTED FISHERY

RESOURCES

DESCRIPTION OF PROBLEM/NEED: THE KLAMATH RIVER SUPPORTS THE SECOND LARGEST CHINOOK SALMON FISHERY IN CALIFORNIA. FLOWS IN THE KLAMATH INTO CALIFORNIA FROM OREGON CONTAIN HIGH NUTRIENT LOADS AND HAVE ELEVATED TEMPERATURES. BLUE-GREEN ALGAE BLOOMS IN THE RIVER ARE A RESULT. HISTORIC LOGGING AND ROAD CONSTRUCTION MPS DISCHARGES CONTRIBUTE TO SEDIMENTATION PROBLEMS FOR THE FISHERY, ESPECIALLY IN MANY OF THE TRIBUTARIES. ACID MINE DRAINAGE IS CONTROLLED THROUGH BASIC REGULATORY PROGRAMS. COMMUNITY SEWAGE TREATMENT PLANTS UTILIZE LAND DISPOSAL. MULTIPLE HYDRO PROJECTS AND THE IRON GATE FISH HATCHERY ARE LOCATED ON THE UPPER KLAMATH.

BENEFICIAL USE(S) AFFECTED:

Industrial Service Supply
Fish Spawning
Non-Contact Water Recreation

Ocean Commercial and Sport Fishing
Fish Migration

Cold Freshwater Habitat
Water Contact Recreation

POSSIBLE SOURCE(S): FLOWS INTO STATE, LOGGING MPS DISCHARGES.

CURRENT ACTIONS: MAINTAINING HIGH QUALITY BENEFICIAL USES THROUGH BASIC P-C AND CWA REGULATORY PROGRAMS, REVIEW AND INSPECTION OF MPS PROBLEM AREAS.

CURRENT COSTS PER YEAR, CONTRACT (\$): 1000.00

FY's: 0.4

SOLUTION DURATION: 10.0 Years

PROGRAM(S) DIRECTLY INVOLVED IN CURRENT ACTIONS:

Unregulated Site Investigations
Water Quality Control Planning
Waste Discharge Requirements/Subchapter 15

Waste Discharge Requirements/Non-Subchapter 15
Monitoring & Assessment
Special Investigations

ADDITIONAL ACTIONS: FURTHER ADDRESS MPS PROBLEM AREAS THROUGH BMP IMPLEMENTATION AUDITING AND THE GIS PROGRAM

ADDITIONAL COSTS PER YEAR, CONTRACT (\$): 15000.00

FY's: 0.1

SOLUTION DURATION: 2.0 Years

PROGRAMS DIRECTLY AFFECTED BY STATE AND REGIONAL BOARD ADDITIONAL ACTIONS:

Non-Point Source
Waste Discharge Requirements/Non-Subchapter 15
Unregulated Site Investigations

Waste Discharge Requirements/Subchapter 15
Water Quality Control Planning
Special Investigations

UPDATED 3/14/90



United States Department of the Interior

OFFICE OF THE SOLICITOR

Pacific Northwest Region
500 N.E. Multnomah Street, Suite 607
Portland, Oregon 97232

MAY 11 1990

FWS.PN.0969

MEMORANDUM

TO: Regional Director, Region 1, Fish and Wildlife Service

FROM: Office of the Regional Solicitor

SUBJECT: Klamath River Basin Conservation Area

The Klamath River Fishery Resources Restoration Act ("Restoration Act") provides that "the Secretary of Interior shall designate the anadromous fish habitats and resources of the Klamath River Basin as the Klamath River Basin Conservation Area." 16 U.S.C. 60ss-1. You have requested an opinion regarding geographical limitations on the Conservation Area. Specifically, you have asked if there is anything in the Restoration Act or its legislative history preventing the Klamath River Fisheries Task Force from including in the Conservation Area both the present day and historic anadromous fish habitat of the entire Klamath River Basin insofar as they affect the potential success of the restoration plans.¹ The Restoration Act was discussed extensively in the attached January 20, 1989 opinion issued by this office. (Attachment A.)

The Klamath River begins in Lake Ewauna, just south of the City of Klamath Falls, Oregon. It flows southwesterly into California and then west to the Pacific Ocean. The portion of the river above the Iron Gate Dam and Copco Lake is commonly known as the Upper Klamath River, and is primarily, but not entirely, located in southern Oregon. The portion of the river from Iron Gate Dam to the Pacific is known as the Lower Klamath River, and is located entirely within the State of California. Hydropower dams

¹ Pursuant to the Restoration Act, as authorized by the Secretary of Interior, the Director, U.S. Fish and Wildlife Service, designated "all of the anadromous fish habitats and resources of the Klamath River Basin as the Klamath River Basin Conservation Area." 52 Fed. Reg. 45694 (1987) (Attachment B). This designation simply adopted the language of the statute, and provides no different direction than the statute for determining any geographical limitation on the Conservation Area.

bcc: Jerry Grover

have effectively blocked anadromous fish migration into the Upper Klamath River.

Evidently, there is concern that the Restoration Act may limit the Conservation Area to encompass only the part of the Klamath River Basin located in northern California. The foundation for this concern may be based on language in the act and legislative history which seems to emphasize actions in the California portion of the river. For instance, the Klamath Fishery Management Council established by the Restoration Act requires that "council members shall be individuals who are knowledgeable and experienced in the management and conservation, or the recreational or commercial harvest, of the anadromous fish resources in Northern California." 16 U.S.C. 460ss-2(e) (emphasis added).

Furthermore, while the State of Oregon is represented on the council and task force, the State of California plays the lead state role in providing administrative and technical support. For example, 16 U.S.C. § 460ss-3(g) provides in part as follows:

(g) Staff and administration

(1) Administrative support

The Secretary and the Director of the California Department of Fish and Game shall provide the Task Force with the administrative and technical support services necessary for the effective functioning of the Task Force.

(2) Information

The Secretary and the Director of the California Department of Fish and Game shall furnish the members of the Task Force with relevant information concerning the Area.

However, the fact that the Restoration Act seems to focus on improvement of fish populations in California is not dispositive of the issue of whether the Conservation Area can include the Upper Klamath River. To begin with, the Upper Klamath Basin, as described in the Klamath River Basin Fisheries Resource Plan, includes a part of northern California. Also, it is important to focus on the nature of the anadromous fish resources sought to be restored by the act. Restoration of anadromous fish habitat and resources in the Upper Klamath River would directly impact fish resources in the California portion of the river. In fact, the legislation specifically calls for program activities which include actions "to improve and restore area habitats, and promote access to blocked area habitats ..." 16 U.S.C. § 460ss-

1(b)(2). Investigation of programs to restore anadromous fish to the Upper Klamath River would be within the scope of the legislation.² Moreover, nothing in the Restoration Act restricts the definition of "anadromous fish habitats and resources" solely to existing habitats and resources, and the agency clearly has the discretion to consider historic fish habitat restoration as a means of achieving the purposes of the Restoration Act.

The potential water quality problems identified by your agency also point out why the Conservation Area could logically include the Upper Basin. Water quality is a primary factor in "anadromous fish habitat." Poor water quality in the Upper Basin could negate the benefits of restoration activities in the Lower Basin. The Council and Task Force, if they so decide, should not be restricted from considering problems in the Upper Basin which impact fish populations in the entire river system.

In conclusion, there is no language in the Restoration Act which this office interprets as prohibiting the Task Force from including both the present day and historic anadromous fish habitat of the entire Klamath River Basin (California and Oregon) in the Conservation Area. If you have any further questions regarding this matter, please contact Barry Stein of this office at 231-2136.

For the Regional Solicitor



—Donald P. Lawton
Assistant Regional Solicitor
Pacific Northwest Region

² The Klamath River Basin Fisheries Resource Plan contemplated reintroduction of anadromous fish into the Upper Klamath Basin, but concluded that such an attempt would not be successful. As noted in this office's earlier opinion, the agency is not bound by this plan, although the plan is to be used to provide general guidance. The Task Force would not be prohibited from further consideration of reintroducing anadromous fish to the Upper Klamath Basin.



Oregon Trout

P.O. Box 19540 • Portland, Oregon • 97219 • (503) 246-7870

November 29, 1989

Bill Shake, Chairman
Klamath River Basin Fisheries Task Force
P.O. Box 719
Yreka, California 96097

Dear Mr. Shake:

Oregon Trout recommends that the long range plan developed by your Task Force include study of the restoration potential of the Upper Klamath Basin above Iron Gate Dam. As you know, the Upper Klamath Basin used to support significant runs of anadromous fish. The decision to extinguish those runs should not be conclusively viewed as irreversible today. Restoration of salmon and steelhead in the Upper Basin is deserving of the most careful consideration.

A primary concern of Oregon Trout is production of and habitat protection for wild fish. In this regard, we are sensitive to the fact that restoration of anadromous runs will involve hatchery fish that will compete for habitat with existing wild stocks in the upper basin. However, those wild stocks have evolved from fish that, before damming of the river, successfully competed with anadromous runs. Competition of reintroduced fish with the resident natural stocks should be addressed, but given the current absence of wild steelhead and salmon we would not expect the kind of evolutionary change that is brought on by introduction of hatchery stocks that directly compete with wild fish.

We are optimistic that a rigorous scientific discussion of the Upper Basin's potential and of methods for anadromous fish restoration can restore the former productivity of the Upper Basin with both its anadromous runs and resident wild fish. Your task Force has a unique opportunity to begin the process by including the Upper Klamath Basin in your plan. We urge that you do so.

Very truly yours,



Bill Bakke,
Executive Director

KLAMATH RIVER BASIN COMPACT

BETWEEN THE STATES OF OREGON AND CALIFORNIA

Ratified by

STATE OF OREGON, APRIL 17, 1957
(Chapter 142, Oregon State Laws, 1957)

and

STATE OF CALIFORNIA, APRIL 17, 1957
(Chapter 113, California Statutes, 1957)

Consented to by

THE UNITED STATES CONGRESS
ACT OF AUGUST 30, 1957 (71 STAT. 497)

Effective September 11, 1957

KLAMATH RIVER BASIN COMPACT

After negotiations participated in by the following duly appointed Compact Commissioners of the States of California and Oregon, acting pursuant to authorizations of their respective legislatures and the Act of Congress of August 9, 1955 (69 Stat. 613):

FOR OREGON

NELSON REED, *Chairman*
Klamath Falls, Klamath County

JAMES KERNS, JR., *Vice Chairman*
Klamath Falls, Klamath County

RALPH E. KOOZER, *Commissioner*
Ashland, Jackson County

HARRY PEARSON, *Commissioner*
Chiloquin, Klamath County

GEORGE E. STEVENSON, *Commissioner*
Olene, Klamath County



FOR CALIFORNIA

BERT A. PHILLIPS, *Chairman*
Douglas City, Trinity County

JAMES G. STEARNS, *Vice Chairman*
Tulelake, Modoc County

NELSON C. BOWLES, *Secretary*
Eureka, Humboldt County

HARVEY O. BANKS, *Director of*
Water Resources, Sacramento

ELLIS J. LOUIE, *Commissioner*
Gazelle, Siskiyou County



and by Frank A. Banks, representative of the United States of America, the States of California and Oregon have agreed on the compact articles hereinafter set out which were approved by the Klamath River Commissions of Oregon and California on November 17, 1956, and ratified by the Legislatures of Oregon (Chap. 142, Oregon State Laws 1957) and California (Chap. 113, Calif. Statutes 1957) on April 17, 1957. This compact was consented to by Act of Congress (71 Stat. 497) on August 30, 1957, and became effective on September 11, 1957.

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ARTICLE I

PURPOSES

The major purposes of this compact are, with respect to the water resources of the Klamath River Basin:

A. To facilitate and promote the orderly, integrated and comprehensive development, use, conservation and control thereof for various purposes, including, among others: the use of water for domestic purposes; the development of lands by irrigation and other means; the protection and enhancement of fish, wildlife and recreational resources; the use of water for industrial purposes and hydroelectric power production; and the use and control of water for navigation and flood prevention.

B. To further intergovernmental cooperation and comity with respect to these resources and programs for their use and development and to remove causes of present and future controversies by providing (1) for equitable distribution and use of water among the two states and the Federal Government, (2) for preferential rights to the use of water after the effective date of this compact for the anticipated ultimate requirements for domestic and irrigation purposes in the Upper Klamath River Basin in Oregon and California, and (3) for prescribed relationships between beneficial uses of water as a practicable means of accomplishing such distribution and use.

ARTICLE II

DEFINITION OF TERMS

As used in this compact:

A. "Klamath River Basin" shall mean the drainage area of the Klamath River and all its tributaries within the States of California and Oregon and all closed basins included in the Upper Klamath River Basin.

B. "Upper Klamath River Basin" shall mean the drainage area of the Klamath River and all its tributaries upstream from the boundary between the States of California and Oregon and the closed basins of Butte Valley, Red Rock Valley, Lost River Valley, Swan Lake Valley and Crater Lake, as delineated on the official map of the Upper Klamath River Basin approved on September 6, 1956, by the commissions negotiating this compact and filed with the Secretaries of State of the two states and the General Services Administration of the United States, which map is incorporated by reference and made a part hereof.

C. "Commission" shall mean the Klamath River Compact Commission as created by Article IX of this compact.

D. "Klamath Project" of the Bureau of Reclamation of the Department of the Interior of the United States shall mean that area as delineated by appropriate legend on the official map incorporated by reference under subdivision B of this article.

E. "Person" shall mean any individual or any other entity, public or private, including either state, but excluding the United States.

F. "Keno" shall mean a point on the Klamath River at the present needle dam, or any substitute control dam constructed in Section 36, Township 39 South, Range 7 East, Willamette Base and Meridian.

G. "Water" or "waters" shall mean waters appearing on the surface of the ground in streams, lakes or otherwise, regardless of whether such waters at any time were or will become ground water, but shall not include water extracted from underground sources until after such water is used and becomes surface return flow or waste water.

H. "Domestic use" shall mean the use of water for human sustenance, sanitation and comfort; for municipal purposes; for livestock watering; for irrigation of family gardens; and for other like purposes.

I. "Industrial use" shall mean the use of water in manufacturing operations.

J. "Irrigation use" shall mean the use of water for production of agricultural crops, including grain grown for feeding wildfowl.

ARTICLE III

DISTRIBUTION AND USE OF WATER

A. There are hereby recognized vested rights to the use of waters originating in the Upper Klamath River Basin validly established and subsisting as of the effective date of this compact under the laws of the state in which the use or diversion is made, including rights to the use of waters for domestic and irrigation uses within the Klamath Project. There are also hereby recognized rights to the use of all waters reasonably required for domestic and irrigation uses which may hereafter be made within the Klamath Project.

B. Subject to the rights described in subdivision A of this article and excepting the uses of water set forth in subdivision E of Article XI, rights to the use of unappropriated waters originating within the Upper Klamath River Basin for any beneficial use in the Upper Klamath River Basin, by direct diversion or by storage for later use, may be acquired by any person after the effective date of this compact by appropriation under the laws of the state where the use is to be made, as modified by the following provisions of this subdivision B and subdivision C of this article, and may not be acquired in any other way:

1. In granting permits to appropriate waters under this subdivision B, as among conflicting applications to appropriate when there is insufficient water to satisfy all such applications, each state shall give preference to applications for a higher use over applications for a lower use in accordance with the following order of uses:

- (a) Domestic use,
- (b) Irrigation use,
- (c) Recreational use, including use for fish and wildlife,
- (d) Industrial use,
- (e) Generation of hydroelectric power,
- (f) Such other uses as are recognized under the laws of the state involved.

These uses are referred to in this compact as uses (a), (b), (c), (d), (e) and (f), respectively. Except as to the superiority of rights to the use of water for use (a) or (b) over the rights to the use of water for use (c), (d), (e) or (f), as governed by subdivision C of this article, upon a permit being granted and a right becoming vested and perfected by use, priority in right to the use of water shall be governed by priority in time within the entire Upper Klamath River Basin regardless of state boundaries. The date of priority of any right to the use of water appropriated for the purposes above enumerated shall be the date of the filing of the application therefor, but such priority shall be dependent on commencement and completion of construction of the necessary works and application of the water to beneficial use with due diligence and within the times specified under the laws of the state where the use is to be made. Each state shall promptly provide the commission and the appropriate official of the other state with complete information as to such applications and as to all actions taken thereon.

2. Conditions on the use of water under this subdivision B in Oregon shall be:

(a) That there shall be no diversion of waters from the Upper Klamath River Basin, but this limitation shall not apply to out-of-basin diversions of waters originating within the drainage area of Fourmile Lake.

(b) That water diverted from Upper Klamath Lake and the Klamath River and its tributaries upstream from Keno, Oregon, for use in Oregon and not consumed therein and appearing as surface return flow and waste water within the Upper Klamath River Basin shall be returned to the Klamath River or its tributaries above Keno, Oregon.

3. Conditions on the use of water under this subdivision B in California shall be:

(a) That the waters diverted from the Klamath River within the Upper Klamath River Basin for use in California shall not be taken outside the Upper Klamath River Basin.

(b) That substantially all of the return flows and waste water finally resulting from such diversions and use appearing as surface waters in the Upper Klamath River Basin shall be made to drain so as to be eventually returned to the Klamath River upstream from Keno, Oregon.

C. 1. All rights, acquired by appropriation after the effective date of this compact, to use waters originating within the Upper Klamath River Basin for use (a) or (b) in the Upper Klamath River Basin in

either state shall be superior to any rights, acquired after the effective date of this compact, to use such waters (i) for any purpose outside the Klamath River Basin by diversion in California or (ii) for use (c), (d), (e) or (f) anywhere in the Klamath River Basin. Such superior rights shall exist regardless of their priority in time and may be exercised with respect to inferior rights without the payment of compensation. But such superior rights to use water for use (b) in California shall be limited to the quantity of water necessary to irrigate 100,000 acres of land, and in Oregon shall be limited to the quantity of water necessary to irrigate 200,000 acres of land.

2. The provisions of paragraph 1 of this subdivision C shall not prohibit the acquisition and exercise after the effective date of this compact of rights to store waters originating within the Upper Klamath River Basin and to make later use of such stored water for any purpose, as long as the storing of waters for such later use, while being effected, does not interfere with the direct diversion or storage of such waters for use (a) or (b) in the Upper Klamath River Basin.

ARTICLE IV

HYDROELECTRIC POWER

It shall be the objective of each state, in the formulation and the execution and the granting of authority for the formulation and execution of plans for the distribution and use of the waters of the Klamath River Basin, to provide for the most efficient use of available power head and its economic integration with the distribution of water for other beneficial uses in order to secure the most economical distribution and use of water and lowest power rates which may be reasonable for irrigation and drainage pumping, including pumping from wells.

ARTICLE V

INTERSTATE DIVERSION AND STORAGE RIGHTS; MEASURING DEVICES

A. Each state hereby grants for the benefit of the other and its designees the right to construct and operate facilities for the measurement, diversion, storage and conveyance of water from the Upper Klamath River Basin in one state for use in the other insofar as the exercise of such right may be necessary to effectuate and comply with the terms of this compact. The location of such facilities shall be subject to approval by the commission.

B. Each state or its designee, exercising within the jurisdiction of the other a right granted under subdivision A of this article, shall make provision for the establishment, operation and maintenance of permanent gaging stations at such points on streams or reservoir or convey-

ance facilities as may be required by the commission for the purpose of ascertaining and recording the volume of diversions by the streams or facilities involved. Said stations shall be equipped with suitable devices for determining the flow of water at all times. All information obtained from such stations shall be compiled in accordance with the standards of the United States Geological Survey, shall be filed with the commission, and shall be available to the public.

ARTICLE VI

ACQUISITION OF PROPERTY FOR STORAGE AND DIVERSION; IN LIEU TAXES

A. Subject to approval of the commission, either state shall have the right (1) to acquire such property rights in the other state as are necessary for the diversion, storage, conveyance, measurement and use of water in conformity with this compact, by donation or purchase, or (2) to elect to have the other state acquire such property rights for it by purchase or through the exercise of the power of eminent domain. A state making the latter election shall make a written request therefor and the other state shall expeditiously acquire said property rights either by purchase at a price satisfactory to the requesting state, or, if such purchase cannot be made, then through the exercise of its power of eminent domain, and shall convey said property rights to the requesting state or its designee. All costs of such acquisition shall be paid by the requesting state. Neither state shall have any greater power to acquire property rights for the other state through the exercise of the power of eminent domain than it would have under its laws to acquire the same property rights for itself.

B. Should any diversion, storage or conveyance facilities be constructed or acquired in either state for the benefit of the other state, as herein provided, the construction, repair, replacement, maintenance and operation of such facilities shall be subject to the laws of the state in which the facilities are located, except that the proper officials of that state shall permit the storage, release and conveyance of any water to which the other state is entitled under this compact.

C. Either state having property rights other than water rights in the other state acquired as provided in this article shall pay to each political subdivision of the state in which such property rights are located, each and every year during which such rights are held, a sum of money equivalent to the average annual amount of taxes assessed against those rights during the 10 years preceding the acquisition of such rights in reimbursement for the loss of taxes to such political subdivisions of the state. Payments so made to a political subdivision shall be in lieu of any and all taxes by that subdivision on the property rights for which the payments are made.

ARTICLE VII

POLLUTION CONTROL

A. The states recognize that the growth of population and the economy of the Upper Klamath River Basin can result in pollution of the waters of the Upper Klamath River Basin constituting a menace to the health and welfare of, and occasioning economic loss to, people living or having interests in the Klamath River Basin. The states recognize further that protection of the beneficial uses of the waters of the Klamath River Basin requires cooperative action of the two states in pollution abatement and control.

B. To aid in such pollution abatement and control, the commission shall have the duty and power:

1. To cooperate with the states or agencies thereof or other entities and with the United States for the purpose of promoting effective laws and the adoption of effective regulations for abatement and control of pollution of the waters of the Klamath River Basin, and from time to time to recommend to the governments reasonable minimum standards for the quality of such waters.

2. To disseminate to the public by any and all appropriate means information respecting pollution abatement and control in the waters of the Klamath River Basin and on the harmful and uneconomic results of such pollution.

C. Each state shall have the primary obligation to take appropriate action under its own laws to abate and control interstate pollution, which is defined as the deterioration of the quality of the waters of the Upper Klamath River Basin within the boundaries of such state which materially and adversely affects beneficial uses of waters of the Klamath River Basin in the other state. Upon complaint to the commission by the state water pollution control agency of one state that interstate pollution originating in the other state is not being prevented or abated, the procedure shall be as follows:

1. The commission shall make an investigation and hold a conference on the alleged interstate pollution with the water pollution control agencies of the two states, after which the commission shall recommend appropriate corrective action.

2. If appropriate corrective action is not taken within a reasonable time, the commission shall call a hearing, giving reasonable notice in writing thereof to the water pollution control agencies of the two states and to the person or persons which it is believed are causing the alleged interstate pollution. Such hearing shall be held in accordance with rules and regulations of the commission, which shall conform as nearly as practicable with the laws of the two states governing administrative hearings. At the conclusion of such hearing, the commission shall make a finding as to whether interstate pollution exists, and if so, shall issue to any person or persons which the commission finds are causing such interstate pollution an order or orders for correction thereof.

3. It shall be the duty of the person against whom any order is issued to comply therewith. Any court of general jurisdiction of the state where such discharge is occurring or the United States District Court for the district where the discharge is occurring shall have jurisdiction, on petition of the commission for enforcement of such order, to compel action by mandamus, injunction, specific performance, or any other appropriate remedy, or on petition of the person against whom the order is issued to review any order. At the conclusion of such enforcement or review proceedings, the court may enter such decree or judgment affirming, reversing, modifying, or remanding such order as in its judgment is proper in the circumstances on the basis of the rules customarily applicable in proceedings for court enforcement or review of administrative actions.

D. The water pollution control agencies of the two states shall, from time to time, make available to the commission all data relating to the quality of the waters of the Upper Klamath River Basin which they possess as the result of studies, surveys and investigations thereof which they may have made.

ARTICLE VIII

MISCELLANEOUS

A. Subject to vested rights as of the effective date of this compact, there shall be no diversion of waters from the basin of Jenny Creek to the extent that such waters are required, as determined by the commission, for use on land within the basin of Jenny Creek.

B. Each state shall exercise whatever administrative, judicial, legislative or police powers it has that are required to provide any necessary re-regulation or other control over the flow of the Klamath River downstream from any hydroelectric power plant for protection of fish, human life or property from damage caused by fluctuations resulting from the operation of such plant.

ARTICLE IX

ADMINISTRATION

A. 1. There is hereby created a commission to administer this compact. The commission shall consist of three members. The representative of the State of California shall be the Department of Water Resources. The representative of the State of Oregon shall be the State Engineer of Oregon who shall serve as ex officio representative of the State Water Resources Board of Oregon. The President is requested to appoint a federal representative who shall be designated and shall serve as provided by the laws of the United States.

2. The representative of each state shall be entitled to one vote in the commission. The representative of the United States shall serve as

chairman of the commission without vote. The compensation and expenses of each representative shall be fixed and paid by the government which he represents. Any action by the commission shall be effective only if it be agreed to by both voting members.

3. The commission shall meet to establish its formal organization within 60 days after the effective date of this compact, such meeting to be at the call of the governors of the two states. The commission shall then adopt its initial set of rules and regulations governing the management of its internal affairs providing for, among other things, the calling and holding of meetings, the adoption of a seal, and the authority and duties of the chairman and executive director. The commission shall establish its office within the Upper Klamath River Basin.

4. The commission shall appoint an executive director, who shall also act as secretary, to serve at the pleasure of the commission and at such compensation, under such terms and conditions and performing such duties as it may fix. The executive director shall be the custodian of the records of the commission with authority to affix the commission's official seal, and to attest to and certify such records or copies thereof. The commission, without regard to the provisions of the civil service laws of either state, may appoint and discharge such consulting, clerical and other personnel as may be necessary for the performance of the commission's functions, may define their duties, and may fix and pay their compensation. The commission may require the executive director and any of its employees to post official bonds, and the cost thereof shall be paid by the commission.

5. All records, files and documents of the commission shall be open for public inspection at its office during established office hours.

6. No member, officer or employee of the commission shall be liable for injury or damage resulting from (a) action taken by such member, officer or employee in good faith and without malice under the apparent authority of this compact, even though such action is later judicially determined to be unauthorized, or (b) the negligent or wrongful act or omission of any other person, employed by the commission and serving under such officer, member or employee, unless such member, officer or employee either failed to exercise due care in the selection, appointment or supervision of such other person, or failed to take all available action to suspend or discharge such other person after knowledge or notice that such other person was inefficient or incompetent to perform the work for which he was employed. No suit may be instituted against a member, officer or employee of the commission for damages alleged to have resulted from the negligent or wrongful act or omission of such member, officer or employee or a subordinate thereof occurring during the performance of his official duties unless, within 90 days after occurrence of the incident, a verified claim for damages is presented in writing and filed with such member, officer or employee and with the commission. In the event of a suit for damages against any member, officer or employee of the commission on account of any

act or omission in the performance of his or his subordinate's official duties, the commission shall arrange for the defense of such suit and may pay all expenses therefor on behalf of such member, officer or employee. The commission may at its expense insure its members, officers and employees against liability resulting from their acts or omissions in the performance of their official duties. Nothing in this paragraph shall be construed as imposing any liability upon any member, officer or employee of the commission that he would otherwise not have.

7. The commission may incur obligations and pay expenses which are necessary for the performance of its functions. But it shall not pledge the credit of any government except by and with the authority of the legislative body thereof given pursuant to and in keeping with the constitution of such government, nor shall the commission incur any obligations prior to the availability of funds adequate to meet them.

8. The commission may:

(a) Borrow, accept or contract for the services of personnel from any government or agency thereof, from any intergovernmental agency, or from any other entity.

(b) Accept for any of its purposes and functions under this compact any and all donations, gifts, grants of money, equipment, supplies, materials and services from any government or agency thereof or intergovernmental agency or from any other entity.

(c) Acquire, hold and dispose of real and personal property as may be necessary in the performance of its functions.

(d) Make such studies, surveys and investigations as are necessary in carrying out the provisions of this compact.

9. All meetings of the commission for the consideration of and action on any matters coming before the commission, except matters involving the management of internal affairs of the commission and its staff, shall be open to the public. Matters coming within the exception of this paragraph may be considered and acted upon by the commission in executive sessions under such rules and regulations as may be established therefor.

10. In the case of the failure of the two voting members of the commission to agree on any matter relating to the administration of this compact as provided in paragraph 2 of this subdivision A, the representative from each state shall appoint one person and the two appointed persons shall appoint a third person. The three appointees shall sit as an arbitration forum. The terms of appointment and the compensation of the members of the arbitration forum shall be fixed by the commission. Matters on which the two voting members of the commission have failed to agree shall be decided by a majority vote of the members of the arbitration forum. Each state obligates itself to abide by the decision of the arbitration forum, subject, however, to the right of each state to have the decision reviewed by a court of competent jurisdiction.

11. The commission shall have the right of access, through its authorized representatives, to all properties in the Klamath River when-

ever necessary for the purpose of administration of this compact. The commission may obtain a court order to enforce its right of access.

B. 1. The commission shall submit to the governor or designated officer of each state a budget of its estimated expenditures for such period and at such times as may be required by the laws of that state for presentation to the legislature thereof. Each state pledges itself to appropriate and pay over to the commission one-half of the amount required to finance the commission's estimated expenditures as set forth in each of its budgets, and pledges further that concurrently with approval of this compact by its legislature the sum of not less than \$12,000 will be appropriated by it to be paid over to the commission at its first meeting for use in financing the commission's functions until the commission can prepare its first budget and receive its first appropriation thereunder from the states.

2. The commission shall keep accurate accounts of all receipts and disbursements, which shall be audited yearly by a certified public accountant, and the report of the audit shall be made a part of its annual report. The accounts of the commission shall be open for public inspection during established office hours.

3. The commission shall make and transmit to the legislature and governor of each state and to the President of the United States an annual report covering the finances and activities of the commission and embodying such plans, recommendations and findings as may have been adopted by the commission.

C. 1. The commission shall have the power to adopt, and to amend or repeal, such rules and regulations to effectuate the purposes of this compact as in its judgment may be appropriate.

2. Except as to matters involving exclusively the management of the internal affairs of the commission and its staff or involving emergency matters, prior to the adoption, amendment or repeal of any rule or regulation the commission shall hold a hearing at which any interested person shall have the opportunity to present his views on the proposed action in writing, with or without the opportunity to present the same orally. The commission shall give adequate advance notice in a reasonable manner of the time, place and subject of such hearings.

3. Emergency rules and regulations may be adopted without a prior hearing, but in such case they may be effective for not longer than 90 days.

4. The commission shall publish its rules and regulations in convenient form.

ARTICLE X

STATUS OF INDIAN RIGHTS

A. Nothing in this compact shall be deemed:

1. To affect adversely the present rights of any individual Indian, tribe, band or community of Indians to the use of the waters of the Klamath River Basin for irrigation.

2. To deprive any individual Indian, tribe, band or community of Indians of any rights, privileges, or immunities afforded under Federal treaty, agreement or statute.

3. To affect the obligations of the United States of America to the Indians, tribes, bands or communities of Indians, and their reservations.

4. To alter, amend or repeal any of the provisions of the Act of August 13, 1954, (68 Stat. 718) as it may be amended.

B. Lands within the Klamath Indian Reservation which are brought under irrigation after the effective date of this compact, whether before or after Section 14 of said Act of August 13, 1954, becomes fully operative, shall be taken into account in determining whether the 200,000 acre limitation provided in paragraph 1 of subdivision C of Article III has been reached.

ARTICLE XI

FEDERAL RIGHTS

Nothing in this compact shall be deemed:

A. To impair or affect any rights, powers or jurisdictions of the United States, its agencies or those acting by or under its authority, in, over and to the waters of the Klamath River Basin, nor to impair or affect the capacity of the United States, its agencies or those acting by or under its authority in any manner whatsoever, except as otherwise provided by the federal legislation enacted for the implementation of this compact as specified in Article XIII.

B. To subject any property of the United States, its agencies or instrumentalities, to taxation by either state or any subdivision thereof, unless otherwise provided by act of Congress.

C. To subject any works or property of the United States, its agencies, instrumentalities or those acting by or under its authority, used in connection with the control or use of waters which are the subject of this compact, to the laws of any state to an extent other than the extent to which those laws would apply without regard to this compact, except as otherwise provided by the federal legislation enacted for the implementation of this compact as specified in Article XIII.

D. To affect adversely the existing areas of Crater Lake National Park or Lava Beds National Monument, or to limit the operation of laws relating to the preservation thereof.

E. To apply to the use of water for the maintenance, on the scale at which such land and water areas are maintained as of the effective date of this compact, of officially designated waterfowl management areas, including water consumed by evaporation and transpiration on water surface areas and water used for irrigation or otherwise in the Upper Klamath River Basin; nor to affect the rights and obligations of the United States under any migratory bird treaty or the Migratory Bird Conservation Act (45 Stat. 1222), as amended to the effective date of this compact.

ARTICLE XII

GENERAL PROVISIONS

A. Each state and all persons using, claiming or in any manner asserting any right to the use of the waters of the Klamath River Basin under the authority of either state shall be subject to the terms of this compact.

B. Nothing in this compact shall be construed to limit or prevent either state from instituting or maintaining any action or proceeding, legal or equitable, in any court of competent jurisdiction for the protection of any right under this compact or the enforcement of any of its provisions.

C. Should a court of competent jurisdiction hold any part of this compact to be contrary to the Constitution of either state or the United States, all other provisions shall continue in full force and effect, unless it is authoritatively and finally determined judicially that the remaining provisions cannot operate for the purposes, or substantially in the manner, intended by the states independently of the portions declared unconstitutional or invalid.

D. Except as to matters requiring the exercise of discretion by the commission, the provisions of this compact shall be self-executing and shall by operation of law be conditions of the various state permits, licenses or other authorizations relating to the waters of the Klamath River Basin issued after the effective date of this compact.

E. The physical and other conditions peculiar to the Klamath River Basin constitute the basis for this compact, and neither of the states hereby, nor the Congress of the United States by its consent, considers that this compact establishes any general principle or precedent with respect to any other interstate stream.

ARTICLE XIII

RATIFICATION

A. This compact shall become effective when ratified by the legislature of each signatory state, and when consented to by an act of Congress of the United States which will, in substance, meet the provisions hereinafter set forth in this article.

B. The act of Congress referred to in subdivision A of this article shall provide that the United States or any agency thereof, and any entity acting under any license or other authority granted under the laws of the United States (referred to in this article as "the United States"), in connection with developments undertaken after the effective date of this compact pursuant to laws of the United States, shall comply with the following requirements:

1. The United States shall recognize and be bound by the provisions of subdivision A of Article III.

2. The United States shall not, without payment of just compensation, in any way rights to the use of water for use (a) or (b) within

the Upper Klamath River Basin by the exercise of any powers or rights to use or control water (i) for any purpose whatsoever outside the Klamath River Basin by diversions in California or (ii) for any purpose whatsoever within the Klamath River Basin other than use (a) or (b). But the exercise of powers and rights by the United States shall be limited under this paragraph 2 only as against rights to the use of water for use (a) or (b) within the Upper Klamath River Basin which are acquired as provided in subdivision B of Article III after the effective date of this compact, but only to the extent that annual depletions in the flow of the Klamath River at Keno resulting from the exercise of such rights to use water for uses (a) and (b) do not exceed 340,000 acre-feet in any one calendar year.

3. The United States shall be subject to the limitation on diversions of waters from the basin of Jenny Creek as provided in subdivision A of Article VIII.

4. The United States shall be governed by all the limitations and provisions of paragraph 2 and subparagraph (a) of paragraph 3 of subdivision B of Article III.

5. The United States, with respect to any irrigation or reclamation development undertaken by the United States in the Upper Klamath River Basin in California, shall provide that substantially all of the return flows and waste water finally resulting from such diversions and use appearing as surface waters in the Upper Klamath River Basin shall be made to drain so as to be eventually returned to the Klamath River upstream from Keno, unless the Secretary of the Interior shall determine that compliance with this requirement would render it less feasible than under an alternate plan of development, in which event such return flows and waste waters shall be returned to the Klamath River at a point above Copco Lake.

C. Upon enactment of the act of Congress referred to in subdivision A of this article and so long as such act shall be in effect, the United States, when exercising rights to use water pursuant to state law, shall be entitled to all of the same privileges and benefits of this compact as any person exercising similar rights.

D. Such act of Congress shall not be construed as relieving the United States of any requirement of compliance with state law which may be provided by other federal statutes.

ARTICLE XIV

TERMINATION

This compact may be terminated at any time by legislative consent of both states, but despite such termination, all rights then established hereunder or recognized hereby shall continue to be recognized as valid by the states.



STATE OF CALIFORNIA
George Deukmejian, Governor

THE RESOURCES AGENCY
Gordon Van Vleck, Secretary
for Resources

FISH AND GAME COMMISSION

Robert A. Bryant, President Yuba City
John A. Murdy III, Vice-President Newport Beach
Albert C. Taucher, Member Long Beach
Everett McCracken Jr. Carmichael
Benjamin F. Blaggini San Francisco

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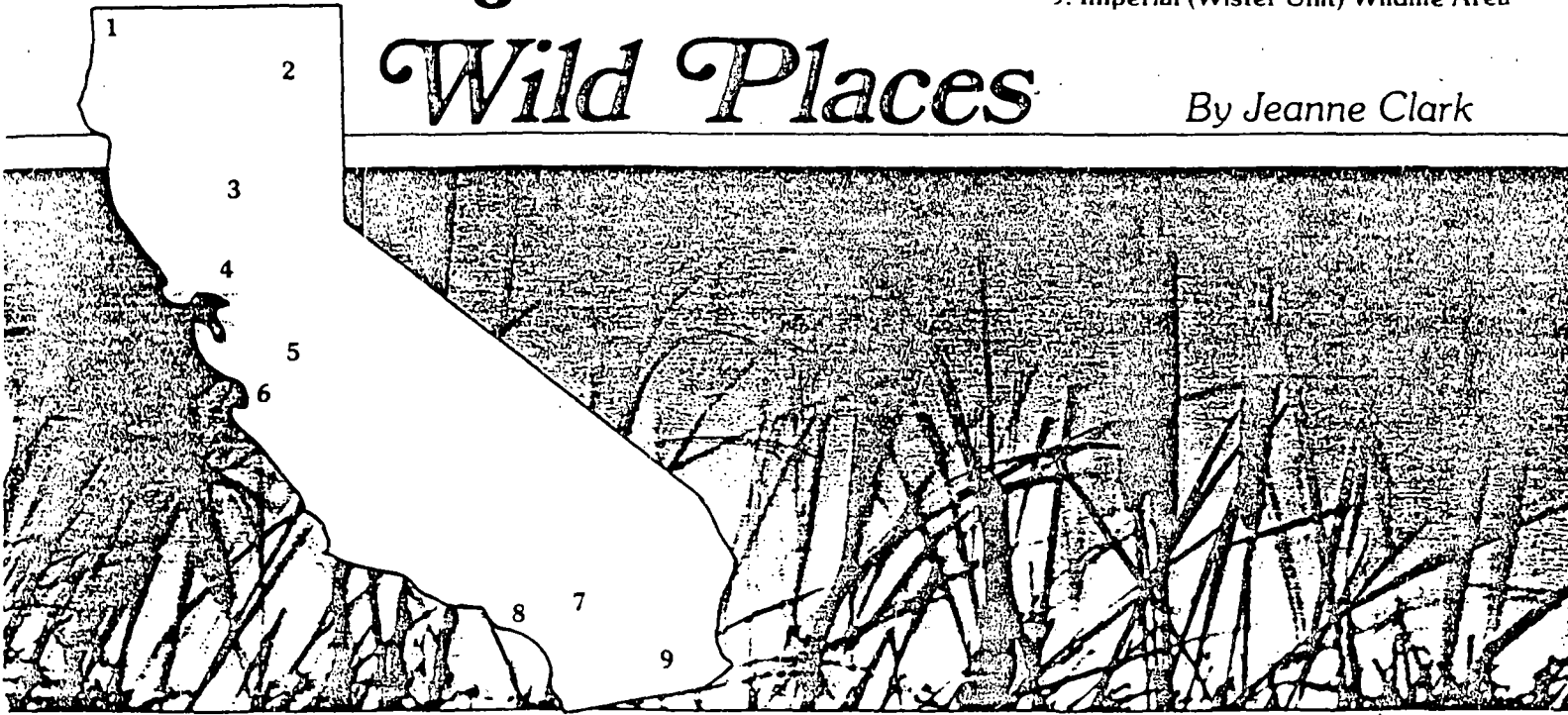
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California's Wild Places

1. Lake Earl Wildlife Area
2. Ash Creek Wildlife Area
3. Gray Lodge Wildlife Area
4. Grizzly Island Wildlife Area
5. Los Banos Wildlife Area
6. Elkhorn Slough Reserve
7. San Jacinto Wildlife Area
8. Upper Newport Bay Reserve
9. Imperial (Wister Unit) Wildlife Area

By Jeanne Clark



Editor's note: Jeanne Clark is a freelance writer from Newcastle. She researched and wrote this introduction and the nine wildlife area descriptions that follow. Design collaboration was provided by Dick Jordan, an illustrator from Shingle Springs.

The following pages offer an overview of nine special areas in California. From the foggy reaches of Elkhorn Slough and the sunny splendor of Gray Lodge to the remote grandeur of Lake Earl, you'll experience a unique slice of California — a state with a rich and remarkable wildlife legacy.

Purpose of Wildlife Areas and Ecological Reserves

For more than 50 years, the Department of Fish and Game (DFG) has purchased land to set aside for wildlife. Some of these acquisitions are designated "wildlife areas" or "ecological reserves" and their purposes are established by law.

Initially, wildlife areas provided resting areas for migratory birds using the Pacific Flyway, gave relief to neighbors suffering crop depredation by wildlife and offered diverse recreational opportunities to Californians. Ecological reserves were usually much smaller parcels and were often purchased to preserve specific habitat or a single wildlife species.

Today, the DFG manages more than 60 wildlife areas and nearly 70 ecological reserves. Because of California's

increasing population and the alarming loss of wildlife habitat, these lands now shelter many resident species displaced by development. Most have become critical sanctuaries for scores of threatened and endangered species.

How These Lands Are Managed

Whether it's a compact 750 acre parcel or a site covering 15,000 acres, you will probably be struck by the "natural" beauty and serenity of the ponds, lakes, marshes or uplands. In most cases, it is a human-made beauty, conceived and tended by a very small DFG staff, using years of expertise and an arsenal of heavy equipment, water pumps, ditches and levees. Throughout the seasons, wildlife trends are carefully monitored; crops are encouraged and fields are drained or flooded with foresight and dedication.

The Fish and Game crew can tell you when the first snow geese will arrive, show you where the wood ducks are nesting or explain why pickleweed turns crimson in the fall. Their management efforts help maintain the habitat diversity so vital to wildlife, so essential to the preservation of these ancient migration corridors.

Diverse Recreation Opportunities Are Compatible

These beautiful areas have become a natural magnet for people interested in hunting, fishing, birding, nature observation, photography, hiking, biking and more. In fact, the majority of people who visit these areas are not hunters or anglers. These visitors have learned, first hand, that they can easily enjoy the area in safety and comfort, that hunting and other activities are compatible.

Hunting and fishing programs on each wildlife area are planned with this in mind. Hunting zones are a considerable distance from the sanctuary and general public use areas. Hunting activities are limited to specific days during about four months of the year; conversely, prime areas have been set aside as a sanctuary and are open to hiking, nature observation and photography nearly all year long.

Wildlife areas have offered a refuge for wildlife and these diverse recreational opportunities, without conflict — in some cases, for more than 50 years. In general, no hunting or fishing is allowed on ecological reserves.

Who Pays for DFG programs?

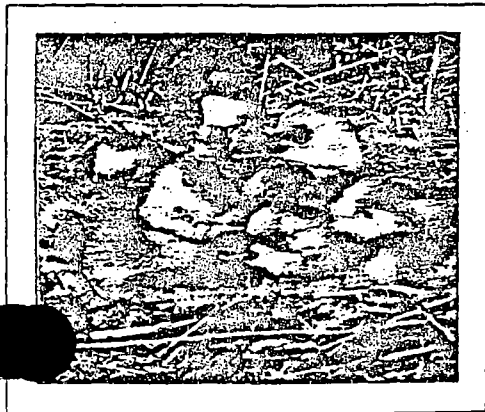
For decades, California hunters and anglers have demonstrated that conservation and preservation come before recreation. Over the years, most of the DFG's funds have come from hunting and fishing license fees and related revenues. Hunting and fishing conservation groups have made extensive, voluntary donations of funds, materials and labor. The DFG receives very little support from California tax dollars.

Traditionally, the funds to purchase and operate wildlife areas have come from hunting licenses and related fees. Ecological reserves receive money from the Environmental License Plate Fund.

Today, the funds generated from hunting and fishing related fees or special funds no longer cover the costs of caring for the state's wildlife resources. The California Wildlands Program — popularly known as "Save Our Wild Places" — was conceived with this need in mind. It grew from the knowledge that many Californians care about wildlife but do not hunt or fish. Until now, this important group has had no direct way to help the DFG save habitat and preserve a wildlife legacy.

How Does the California Wildlands Program Work?

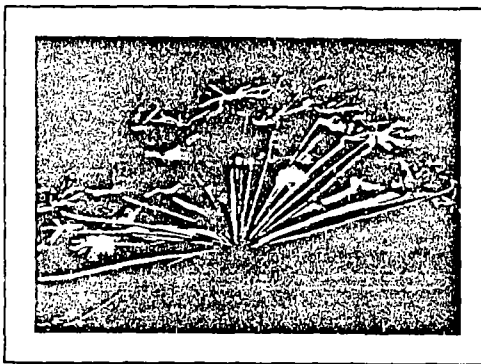
Anyone can purchase Wildlife Area Passes and Native Species Stamps. Funds from the Wildlife Area Pass are earmarked for non-game programs, particularly those that help endangered and other sensitive species. They will also be used to build self-guided hiking trails, interpretive displays and programs, visitors' centers, disabled access and much more at key wildlife areas and ecological reserves. Wildlife Area Passes are \$10 each. Each beautiful native species stamp costs just \$7.50. Funds from the stamp will help the DFG purchase critical habitat so necessary for wildlife preservation.



Canada Goose nest. Photo by John B. Cowan.



Wood Duck. Photo ©by William Grenfell.



Cow parsnips. Photo by Jeanne Clark.

Wildlife Area Fees

Anyone with a valid annual Wildlife Area Pass, hunting, fishing or trapping license may visit DFG wildlife areas or ecological reserves for free. Without these, there is generally a charge of \$2 per person, per day.

Area Rules Help Us Safeguard the Resource

Whatever your reasons for visiting, please remember that these areas exist first to provide a sanctuary for wildlife and to protect critical habitat. These purposes can be fulfilled and the public can also enjoy recreational use of the area as long as visitors remain sensitive and thoughtful.

Please make time to read and follow the posted regulations. They exist to protect a fragile resource, not to inhibit your enjoyment. Please, respect signs advising that roads or areas are closed and remain at suggested viewing distances.

Programs and Facilities

Right now, there are vast differences in facilities at each of the areas. Check the information at the end of the area description so you'll know what to expect.


Beginning in 1989, you will see exciting changes at some of these areas, such as interpretive programs, displays and public facilities that include access for the disabled. Volunteer programs will be established to provide an avenue for local supporters, who, in turn, can help visitors experience the area more fully.

Rare, Threatened and Endangered Species

We've already lost the grizzly bear, the proud symbol of our state. Today, more than 250 native species are listed as rare, threatened or endangered. Scores more have been designated species of special concern. If we turn our back, they'll be gone. It is not enough to legally protect these fragile species. They must have adequate, suitable habitat to survive.

Most of the DFG's wildlife areas and ecological reserves attract some rare, threatened or endangered species throughout the year. In the following pages, an effort is made to let you know about some of these "listed" species. Because of space, it is not possible to include and discuss both state and federal classifications for these species.

Enjoy California's Incredible Wildlife Legacy

Through the window provided by these wildlife areas or ecological reserves, you will get a small glimpse of California's remarkable wildlife resource and what it takes to preserve it. Whether you walk gently along their trails or visit them through the following pages, we hope you'll feel impressed with California's wildlife bounty. We invite you to become active partners in stewardship, to help us "Save Our Wild Places." 

Lake Earl

WILDLIFE AREA

By Jeanne Clark

It is a timeless place, a forgotten corner of California. Here, the tides have beaten rock into sand for an eternity. The wind sculpts the dunes into new shapes daily. Inland, lofty stands of Sitka spruce rise in silent grandeur. Thousands of Aleutian Canada geese preen and rest quietly on the grasslands. This is Lake Earl, where the air is washed clean by ocean breezes and the lingering echo of a loon still defines something wild and untouchable.

History

Lake Earl is part of a coastal plain that extends 20 miles to the Oregon border. For centuries, the Tolowa Indians had villages near the lake and relied on the abundant fish and wildlife. Sea otters were plentiful, drawing fur traders to the area until the 1840s.

The discovery of gold rocked all of California and the ripples were felt even at Lake Earl. Settlements sprouted and much of this coastal plain was cleared to handle the demand for food. The land, itself, became a bountiful resource.

As the human population grew, people turned to the dense, old growth stands of spruce, redwood and fir that blanketed the area. At one time, Lake Earl was used to

transport logs for one of the region's early mills. Some saw its potential as a freshwater port and experimental devices were crafted to control the water level.

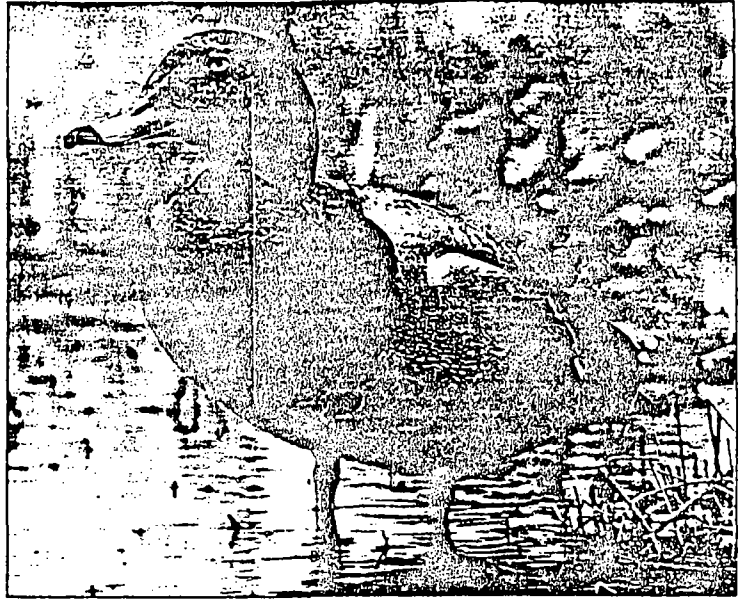
Fortunately, this stab at progress failed miserably and plans to develop Lake Earl were essentially abandoned. Much of the land is still held privately. Agriculture practices continue, although plans have been submitted to build 1,500 homes on one of the shorelines. In 1977, to prevent further development and preserve this unique area, the Department of Fish and Game (DFG) and the Department of Parks and Recreation (DPR) began a series of acquisitions. The result is Lake Earl Wildlife Area (DFG) and the Lake Earl Project (DPR).



Western grebe nest in the northeast corner of the lake and are noted for their spectacular mating displays. They are among the five species of grebe found at Lake Earl. Photo by John B. Cowan.



view of Lake Earl Wildlife Area. DFG photo by Paul Wertz.



Lake Earl is a major wintering area for canvasback. Photo by John A. Weldon.

General Description

Lake Earl Wildlife Area is five miles north of Crescent City, in Del Norte County. Its 5,000 acres begins at the Pacific Ocean, encompasses interconnected lakes and ends in upland fields and forest. The coastline is marked by lines of ancient sand dunes, some extending inland for nearly one-half mile. The inland dunes are covered with scattered patches of beach grass, dune tansy and beach strawberry, which form a vegetative mat that helps stabilize the dunes.

The two lakes combine to form Lake Earl, although the smaller one is still called Lake Talawa. Both lakes are fairly shallow, but are connected by a channel that is 18 feet deep, known as the Narrows. Fresh water flows in from Jordan Creek and extensive ground water sources. It is this fresh water that allows for active spawning populations of salmon, steelhead and cutthroat trout.

On occasion, however, the pounding Pacific breaches the sand dunes and floods this coastal lagoon. Where fresh and salt water mix, the result is brackish water. An incredible mixture of animal life which has managed to adapt to these changing conditions. These occasional breaches allow some anadromous fish populations to migrate to and from the ocean.

The resulting nutrient-rich water also supports the dense vegetation so attractive to thousands of migratory waterfowl.

Ironically, the weeds and grasses so attractive to waterfowl and fish are not nearly so kind to boat motors. Most people visiting the area by boat stick to the Narrows, where the scenery, fishing and water depth are all compatible.

At present, there are very few roads or facilities, and hiking trails are non-existent. Bring your hiking boots, leave your car at the end of Old Mill Road and explore the upland areas that buffer the lake and marsh. Listen to the profound stillness. Watch for quail and grouse. Smell the sweet, pungent scent of the forest as you walk among towering stands of Sitka spruce and pine. You can even bring your horse, for equines are welcome to parts of Lake Earl, too.

Fall

The shift from summer to fall here may be little more than a drop

of several degrees, but August's first wave of shorebirds is a reminder of winter's arrival at the Arctic Circle. Godwits and dowitchers gather along edge of the lake. Sandpipers and black turnstones scatter along the beach.

Already, the first clusters of northern pintail dabble in the lake's shallow water. American widgeon, ruddy duck, canvasback, scaup and common moorhen join them during September and will stay until April. Mergansers and scoters dive for fish in the Narrows.

As fall eases into winter, you should be able to view thousands of canvasback. The white-backed diving males with their glossy, chestnut heads seek water with dense vegetation. Lake Earl has become one of the main wintering areas for canvasback — second only to the San Francisco Bay area.

By October, you may hear muted honking or whistling that seems to drift from the clouds. The honking announces the arrival of the first small groups of Aleutian Canada geese.

The high-pitched whistling belongs to a group of tundra swans. Several hundred of these snow-white birds find their way here from the Alaskan tundra. On rare occasions, you may even see a trumpeter swan. Also white, this species is

larger; its long, arched neck curves back so dramatically that the lower portion rests against its back!

Fall days are glorious at Lake Earl. The weather can be sunny and remarkably clear. Coastal black-tailed deer browse in the fields and brush rabbits sun themselves along the edges of the road. Watch the ponds for signs of river otter and beaver; both are area residents. The small, brown aquatic rodents you'll undoubtedly see skimming along the ponds are muskrats and they are prolific.

Winter

The lush, green growth everywhere is a reminder that Lake Earl receives an average of 90 inches of rain and the full brunt of Pacific storms. Get yourself some real rain gear, bring binoculars and a lunch and immerse yourself in the tranquility of the marsh. Waterfowl and shorebird populations are at their peak.

In the early winter months, Aleutian Canada geese begin to leave the area in impressive groups for the Sacramento and San Joaquin valleys. They often feed and stage in the fields at the south end of the lake, near Lakeview Drive. The world's entire population of this endangered species is about 6,000 and during the fall and spring, all of them are thought to stop and rest at Lake Earl.

As you watch for geese, you should be treated to abundant raptor activity. Mice and ground squirrels hide among the grasses, drawing hawks by day and owls by night. Because so few people visit remote Lake Earl, it's easy to see a lot of raptors. Red-tailed and rough-legged hawks, golden and bald eagles fan out above the fields, carried by their broad powerful wings.

The much smaller American kestrel and merlin hunt the same areas and may perch on old snags and fence posts. Acrobatic black-shouldered kite hover, then plummet with talons extended. Even endangered peregrine falcons are frequently sighted above the fields or the shoreline of the lake.

Abundant fishing and hunting opportunities draw people, despite the winter storms. And so does birding. More than 250 species of birds have been recorded in the Lake Earl and Smith River Delta. Eighty species of songbirds alone have been counted here. There are warblers, sparrows, larks, finches, juncos, wrens, flycatchers, thrushes and vireos. Teal and Cadre Point are favorite birding spots.

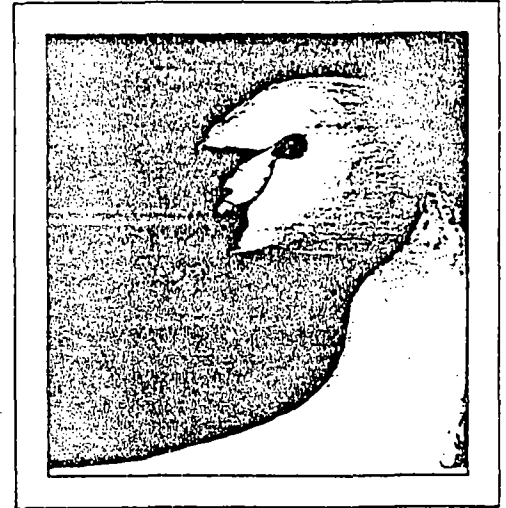
Spring

Waterfowl often spend daylight hours feeding in the low-lying pastures. These areas don't drain during the rainy season, creating small pools of water and lush, attractive vegetation.

The warmer spring weather prompts many of Lake Earl's winter visitors to head north to their breeding grounds, although the area claims many resident breeding populations. Five species of grebe can be found on the open lake water. Both pied-billed and western grebe nest at Lake Earl; the western grebes frequently nest in the northeast corner of the lake. Their spectacular mating display is a complex dance, where paired birds race in tandem across the surface of the lake. You should also see the courtship and nesting activity among the mallards, gadwalls, cinnamon teals, wood ducks and common mergansers.

Pockets of winter rain also collect among the dunes allowing micro-worlds to develop. Northern harriers soar above the lush sedges, rushes, silverweed and other grasses that grow in these pockets. Even small patches of the rare, pink wildflower, silver-laced phacelia, take hold among the dunes. Lake Earl is one of the only sites in California to see this uncommon plant.

As you walk along the beach, sandpiper, willet and black-bellied plover peck at the sand. Overhead, you'll see the flashing white of gulls and terns; the air is crisp with their



A snow-white Tundra swan. Photo by John A. Weldon.

raucous cries. On driftwood logs at Lake Talawa, you're bound to see several dark, primitive looking birds perched with wings outstretched. These double-crested cormorants are from an ancient family of birds that still use this uncommon posture to dry their wings.

Let your eyes skim the ocean horizon for a tell-tale spout of water. California gray whales pass by Lake Earl during the spring and fall. If you don't see one, you should see seals, sea lions or some pelagic birds. Murres, guillemots, puffins and auklets fly along the shoreline and many nest on nearby Prince and Castle islands.

Summer

A thin layer of fog settles on the coast during summer mornings and evenings and the temperature is mild. Osprey glide above the surf, scrutinizing the water for fish. Once called a fish eagle, it is the only bird of prey that feeds entirely on fish.

Inland, the air is filled with bird-song. Scores of passerine birds, arriving during spring, have stayed on to breed and nest. There are American robins, yellow warblers and white-crowned sparrows. Colorful ruby-crowned kinglets and cedar waxwings can be spotted in trees along the Cadre Point trail. The kinglets weigh so little they can search for insects at the very tips of the twigs.

Great blue herons and egrets move on stilt-like legs through the luxurious grasses. Both the smaller green heron and American bittern are more secretive, finding camouflage among the cattails and tules.

Ducklings that have been fiercely protected make their first tentative efforts to swim. Broods of young mallard, cinnamon teal and gadwall meander with their mothers among the grasses and pondweed.

Beneath them, in another world, swim 15 species of fish. All have adapted to the brackish water of Lake Earl. Among the most prized are the area's king salmon, silver salmon, cutthroat and rainbow trout. By now, eggs carefully laid in spawning gravels of Jordan Creek during the fall have hatched and the young have moved to the lake, which they use as a nursery.

Normally, young salmon and steelhead would migrate all the way to the ocean. But Lake Earl is a lagoon, not an estuary. Here, these anadromous fish remain until winter storms breach the lagoon and allow salmon to move to or from the ocean to complete their unusual life cycle. Lake Earl's steelhead and cutthroat have adapted to these patterns and may never migrate to the sea.

Month by month, season by season, a finely-honed balance has been wrought and preserved at Lake Earl. It is a forgotten corner of California, a timeless and wild place that offers great beauty and enriching solitude. 🐾

Activities

Nature observation, photography, hiking and boating. Greatest bird variety from October to May.

Hunting: waterfowl.**

Fishing: Cutthroat and steelhead most popular; all year.**

Dog Trials: by permit.**

Boating: Launch facilities at end of Lakeview Drive and Buzzini Road. Consult regulations.

**As per DFG and local regulations.

Facilities

Yes: vehicle access to boat ramp, Teal Point, headquarters; maps.

No: restrooms, drinking water, phones, camping, disabled access.

What's to Come

Interpretive programs and displays, self-guided hiking trails, visitors' center, disabled access, restrooms, new boat launch.

Rare, Threatened and Endangered Species

Peregrine falcon, California brown pelican, bald eagle, Aleutian Canada goose, silver-laced phacelia.

Weather

Winters cool with lots of rain. Summers mild with some fog. Bring sturdy rain gear in winter.

Nearby Attractions

Jedediah Smith Redwoods State Park, Redwood National Park, Pelican State Beach, Lake Earl Project (DPR).

Directions

From Crescent City, take Lake Earl Drive north. Go left at old Mill Road. Proceed 1.5 miles to end, to the wildlife area headquarters.

Information

Department of Fish and Game

Lake Earl Wildlife Area

PO Box 1934

Crescent City, CA 95531

(707) 464-2523 or (707) 443-6771



Lake Earl Wildlife Area. DFG photo by Paul Wertz.

KLAMATH FISHERY RESTORATION PROGRAM
PROPOSALS FOR FUNDING FISCAL YR 1991
files: RFP.db RFP.frm

ATTACHMENT

PROPOSED BY	LOCATION	PROJECT DESCRIPTION	COST SUB TO	ID NO.	COMMENT	RATE	C. Total
CATEGORY: Education Jane J. Higgins		Develop education program for school children.	67500	USFWS E-3	Continues ongoing classroom education project.	75	67,500
Kidder Creek Environmental School	Kidder Creek	Educational field study of fish requirements and riparian restoration.	2500	USFWS E-1	Salmon and steelhead reared in tank will be studied by students from several counties at environmental school.	72	70,000
Aula Fitzgerald Yoon		Portable information display for Klamath Fishery Restoration Program.	7500	USFWS E-4	Cost for two displays.	66	77,500
U.S. Fish & Wildlife Service	Basinwide	Public Information Program. Continues ongoing program: presentations, media etc	40000	USFWS E-8		64	117,500
CIDC	Lower Klamath	Produce a brochure: "Indian Fishing on the Klamath River"	5526	USFWS E-6		57	123,026
<hr/> RED LINE <hr/>							
CIDC	Klamath River, Yurok reservation	Produce video: "Yurok Fisheries, Rights and Responsibilities"	14963	USFWS E-5	30 minute video	55	137,989
SFS-Klamath NF	Klamath, Scott, Salmon, & Shasta R.	Interpretive signing for Klamath restoration program.	25750	USFWS E-7	USFS contributes additional \$4,000 in personnel costs.	50	163,739
ural Human Services, Inc.	Del Norte County.	Implement education program.	21699	USFWS E-2	Targets general public, user groups, and school children.	44	185,438
Subtotal **			185438				

KLAMATH FISHERY RESTORATION PROGRAM
PROPOSALS FOR FUNDING IN FISCAL YR 1991
files: RFP.dbf, RFP.frm

PROPOSED BY	LOCATION	PROJECT DESCRIPTION	COST SUB TO	ID NO.	COMMENT	RATE	C. Total
CATEGORY: Fish Protection FWS, FAO Arcata	Klamath River at Big Bar.	Monitor juvenile salmonid emigration.	2750	USFWS FP-5	Operate traps during fall yearling outmigration.	81	2,750
DFG	Shasta River	Modify and repair Shasta River fish counting facility.	23639	USFWS 193		78	26,389
USFWS, FAO Arcata	Lower Klamath River and estuary.	Estimate juvenile fish standing crop and outmigration.	27750	USFWS FP-6	Continues an ongoing project.	76	54,139
DFG, Yreka	Kidder Creek	Screen diversion.	15000	CDFG 017		76	69,139
USFWS, FAO Arcata	Blue Creek	Estimate chinook stock status and potential for enhancement.	57400	USFWS FP-4	Revision of ongoing project.	72	126,539
USFWS, FAO Arcata	Lower tributaries to Klamath River	Estimate spawning, juvenile production, habitat.	40500	USFWS FP-3	Revision of ongoing project. Estimate fall chinook spawning, fall chinook & steelhead juvenile production in 24 tributaries.	72	167,039
USFS, Klamath NF	Salmon, Scott, and Mid Klamath	Monitor spawning escapement/spawner utilization.	72993	USFWS FP-8	USFS contributes additional \$61,940. Monitor chinook and steelhead spawning in 222 stream miles.	70	240,032
Karuk Tribe of California	Klamath River, Ishi-Pishi Falls	Estimate, by species, Karuk subsistence harvest.	41809	USFWS FP-1	Information requested by Klamath River Management Council.	69	281,841
USFS, Six Rivers NF	Red Cap, Camp and Bluff Creeks	Evaluate adult and juvenile habitat utilization.	23160	USFWS FP-7		66	305,001
CIDC	Hunter Creek	Construct electric fish barrier.	30787	USFWS FP-2	Monitor adult returns and capture brood stock.	50	335,788
Great Northern	Various streams	Inventory adult spring chinook and steelhead.	0	CDFG 171		42	335,788
Subtotal **			335788				

KLAMATH FISHERY RESTORATION PROGRAM
 PROPOSALS FOR FUNDING FISCAL YR 1991
 files: RFP.dbf RFP.frm

PROPOSED BY	LOCATION	PROJECT DESCRIPTION	COST SUB TO	ID NO.	COMMENT	RATE	C. Total
CATEGORY: Fish Restoration Leans Rod & Gun	Scott River	Operate rescue/rearing facility for steelhead	8851 CDFG	170	Rear 18-20,000 fish.	80	8,851
FG	Hammell Cr. (North Fork Salmon R.)	Rear chinook fry for transfer to Little North Fork facility.	14239 CDFG	005B	Funded by Salmon Stamp in current fiscal year.	74	23,090
FG	Klamath River, several tributaries.	Estimate adult contribution of pond reared salmon.	27600 USFWS	FR-3	Juvenile salmon are from Iron Gate hatchery. Klamath Restoration Program funded this project in FY89.	74	50,690
FG, Yreka	Camp Creek	Replace rearing troughs.	3350 CDFG	005A		67	54,040
asta RCD	Fall Creek	Rear excess Iron Gate fall chinook.	25640 CDFG	003	Rear 150-200,000 yearlings.	64	79,680
IDC	Klamath River, Yurok reservation	Late run fall chinook gillnet capture project	22798 USFWS	FR-2		62	102,478
bert Will	Salmon River, Little North Fork	Rear fall chinook salmon from fry to yearling size.	18835 CDFG	002	To mitigate for fire damage.	62	121,313
zel Enterprises	Shackleford Creek	Operate rescue/rearing facility for steelhead.	23384 CDFG	061	Rear 40,000 fish.	62	144,697
zel Enterprises	Kidder Creek	Operate rescue/rearing facility for steelhead.	25677 CDFG	057	Rear 40,000 fish.	61	170,374
IDC	Klamath River, Yurok reservation	Late run fall chinook accelerated stocking program.	124633 USFWS	FR-1	Continues ongoing project.	60	295,077
IDC	Elk, Red Cap, Grider, & Camp Creeks	Operate rearing ponds for yearling chinook.	93637 CDFG	117	Initiated in 1979.	58	388,644
<hr/> RED LINE <hr/>							
gle Ranch	Cold Creek, trib to Bogus Creek	Operate rescue/rearing facility for steelhead, enhanced level.	16937 CDFG	140B	Rear 30,000 fish.	54	405,581
gle Ranch	Cold Creek, Trib to Bogus Creek	Operate rescue/rearing facility for steelhead.	12466 CDFG	140A	Rear 15,000 fish.	53	418,047
S. Enterprises	Big Humbug Creek	Construct four ponds, monitor water quality.	21559 CDFG	163	Estimate potential as rearing site.	26	439,606
S. Enterprises	Big Humbug Creek	Monitor subterranean water quality in dredge pond.	2200 CDFG	162	Estimate potential as rearing site.	24	441,806
& I	Empire Creek	Monitor subterranean water flow and quality.	6300 CDFG	164	Estimate potential as rearing site.	21	448,106

KLAMATH FISHERY RESTORATION PROGRAM
PROPOSALS FOR FUNDING IN FISCAL YR 1991
files: RFP.dbf, RFP.frm

PROPOSED BY	LOCATION	PROJECT DESCRIPTION	COST SUB TO	ID NO.	COMMENT	RATE	C. Total
RPLDF	Shasta River	Construct rearing ponds.	4400 CDFG	166		20	452,506
RPLDF	Shasta River	Monitor subterranean water flow and quality.	0 CDFG	165	Estimate potential as rearing site.	14	452,506
Subtotal: **			452506				

KLAMATH FISHERY RESTORATION PROGRAM
PROPOSALS FOR FUNDING FISCAL YR 1991
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OPOSED BY	LOCATION	PROJECT DESCRIPTION	COST SUB TO	ID NO.	COMMENT	RATE	C. Total
CATEGORY: Habitat Protection SFS, Klamath NF	Salmon River, South Fork	Conduct watershed improvement needs inventory (WINI).	18500 USFWS	HP-7	USFS contributes additional \$10,000.	75	18,500
U/CCFRU	Salmon River	Estimate spawning and rearing habitat for spring chinook and summer steelhead.	10281 USFWS	HP-3	Will recommend protection and restoration measures. USFS contributes additional \$51,000.	73	28,781
skiyou RCD	Scott River, Scott Valley portion.	Inventory riparian zone.	7054 USFWS	HP-10		72	35,835
SFS, Klamath NF	Salmon River Subbasin	Analyze sediment delivery.	33190 USFWS	HP-9	USFS contributes additional \$67,700. Estimated sediment outputs will be related to stream habitat inventories.	71	69,025
SFS, Klamath NF	ROD LINE Wooley Creek and Elk Creek	Test methods for impact evaluation.	107767 USFWS	HP-8	USFS contributes additional \$78,766. Wooley Creek to serve as control stream, Elk Creek as experimental stream.	63	176,792
SFS, Klamath NF	Monte Creek, Salmon River subbasin.	Stabilize landslide.	8848 USFWS	HP-11	USFS contributes additional \$7,400. Reduce risk of blockage of Salmon River.	60	185,640
SFS, Klamath NF	Salmon River Subbasin	Determine measures to reduce erosion on derelict roads.	21594 USFWS	HP-12	USFS contributes additional \$21,594. Approx 35 miles of roads.	59	207,194
nergy and Resource Advocates	Basin wide	Provide remote sensing and GIS analysis of Klamath River basin.	74000 USFWS	HP-1		56	281,194
hasta Valley RCD	Shasta River/mouth to Lake Shastina	Monitor water quality, identify adverse affects on anadramous fish.	31436 USFWS	HP-5	Continues ongoing project.	56	312,630
arding Lawson Associates	Elk Creek & Indian Creek, So. Fork	Evaluate impacts of suction dredging on fish habitat.	37140 USFWS	HP-2		53	349,770
reat Northern	Klamath River and major tribs	Monitor water quality	120477 CDFG	172	Basinwide project.	52	470,247
iskiyou RCD	Scott River, Scott Valley portion.	Survey stream habitat types, estimate juvenile fish standing crop.	49817 USFWS	HP-6	17 stream miles typed at summer flows.	51	520,064
hasta Valley RCD	Shasta River, Shasta Valley area.	Survey stream habitat types, estimate juvenile fish standing crops.	49817 USFWS	HP-4	17 stream miles.	49	569,881

KLAMATH FISHERY RESTORATION PROGRAM
PROPOSALS FOR FUNDING IN FISCAL YR 1991
files: RFP.dbf, RFP.frm

PROPOSED BY	LOCATION	PROJECT DESCRIPTION	COST SUB TO	ID NO.	COMMENT	RATE	C. Total
reat Northern	Shasta River	Survey stream and riparian habitat -- demonstrate rehab to landowners.	17555 CDFG	173		47	587,436
Subtotal **			587476				

KLAMATH FISHERY INFORMATION PROGRAM
 PROPOSALS FOR FUNDING FISCAL YR 1991
 files: RFP.0 RFP.frm

PROPOSED BY	LOCATION	PROJECT DESCRIPTION	COST SUB TO	ID NO.	COMMENT	RATE	C. Total
CATEGORY: Habitat Restoration							
SFS, Klamath NF	Salmon River, North & South Forks.	Provide native plants to reseed riparian zones.	13957 CDFG	112	Collect seeds, grow seedlings.	80	13,957
SFS, Klamath NF	Nordheimer Creek	Remove migration barrier to upstream passage.	7600 CDFG	111	Provides access at low flow.	74	21,557
SFS, Klamath NF	Salmon River, North and South Forks	Place cover ledges in pools.	2910 CDFG	113	Benefits adult spring chinook and summer steelhead.	69	24,467
SFS, Klamath NF	Beaver Creek	Plant trees for shade and large woody debris.	9902 USFWS	HR-9	USFS contributes additional \$2,980.	69	34,369
DFG	Klamath River, various tributaries.	Provide one work year of diversion screen maintenance.	27589 USFWS	HR-15	Pays one employee, Yreka screen shop. Continues ongoing project.	68	61,958
SFS, Klamath NF	Elk Creek, r.m. 8.5	Place boulder weirs for spawning and rearing habitat.	17330 CDFG	115	Benefits chinook, coho, steelhead.	63	79,288
SFS, Klamath NF	Elk Creek, r.m. 4.6	Place boulder weirs and coarse woody debris for spawning and rearing habitat.	20505 CDFG	116	Benefits chinook, coho, steelhead.	61	99,793
SFS, Klamath NF	Elk Creek	Place boulder weirs and coarse woody debris.	18872 CDFG	114	Provides year-round rearing habitat.	60	118,665
SFS, Klamath NF	Beaver Creek	Place coarse woody debris for overwinter rearing habitat.	21349 CDFG	109		56	140,014
SFS, Klamath NF	Taylor Creek, Salmon River Subbasin	Reconstruct road to decrease sediment delivery.	91319 USFWS	HR-10	USFS contributes additional \$34,444. Benefits chinook and steelhead.	55	231,333
DFG, Yreka	Bogus Creek	Fence to exclude cattle from riparian.	4232 CDFG	014	2,000 feet of fenced stream.	49	235,565
SFS, Klamath NF	O'Neil Creek	Reduce road associated sediment.	18292 USFWS	HR-14	USFS contributes additional \$2,000.	49	253,857
SFS, Klamath NF	Beaver Creek, West Fork	Reduce road associated sediment.	125188 USFWS	HR-13	USFS contributes additional \$5,000.	48	379,045
Coopa Valley Business Council	Pine Creek	Control or prevent erosion of sediment into Pine Creek.	62593 CDFG	065	Erosion control prescriptions to be developed through the existing Pine Creek inventory project.	48	441,638
DFG, Yreka	Horse Creek	Fence to exclude cattle from riparian.	4567 CDFG	013	1/2 mile of fenced stream.	45	446,205
J.C.C.	Tectah Creek	Survey and restore habitat --	449460 CDFG	047	14.5 stream-miles.	42	895,665

KLAMATH FISHERY RESTORATION PROGRAM
PROPOSALS FOR FUNDING IN FISCAL YR 1991
files: RFP.dbf, RFP.frm

PROPOSED BY	LOCATION	PROJECT DESCRIPTION	COST SUB TO	ID NO.	COMMENT	RATE	C. Total
		evaluate projects.					
Duzel Enterprises	Indian Creek	Place boulder weirs, boulder deflectors, & gravel for spawning & rearing habitat	41193 CDFG	060		40	936,858
Natural Human Services	Lynn Creek	Place wooden weirs, plant and fence stream banks.	6226 CDFG	028	0.75 stream-miles.	37	943,084
USFS, Klamath NF	Horse Creek	Remove migration barrier to upstream and downstream passage.	65000 CDFG	110	12 miles of habitat upstream.	33	1,008,084
Northwest Biological Consulting	Basin wide.	Inventory instream rehab projects.	41452 USFWS	HR-7	Detailed description of each project.	33	1,049,536
Northwest Biological Consulting	Scott River	Construct spawning channel.	257435 USFWS	HR-4	Price may vary.	32	1,306,971
Northwest Biological Consulting	Basin wide	Hydraulic evaluation of instream rehab projects.	128423 USFWS	HR-8		31	1,435,394
Duzel Enterprises	Clear Creek, south fork	Remove migration barrier.	2464 CDFG	058	4.5 miles of habitat upstream.	29	1,437,858
Northwest Biological Consulting	Klamath River	Restore spawning channel at Badger Flats.	72929 USFWS	HR-3		28	1,510,787
Northwest Biological Consulting	Yreka Creek, Lower	Place boulder weirs, boulders, & root wads for spawning and rearing habitat.	42750 USFWS	HR-5	5 riffles, 20 pools.	27	1,553,537
Trinity Alps Mining Co.	Selected tributary	Demonstrate impacts of large suction dredging.	314392 USFWS	HR-2		21	1,867,929
J.S. Enterprises	Big Humbug Creek	Restore Tree of Heaven spawning channel.	27959 CDFG	161	Benefit chinook, coho, & steelhead.	21	1,895,896
KRPLDF	Shasta River	Restore weirs	0 CDFG	167		16	1,895,888
Siskon Corporation	Indian Creek	Prevent mine drainage from entering Indian Creek.	3500000 USFWS	HR-1	Gray Eagle mine.	14	5,395,888
* Subtotal **			5395888				

KLAMATH FISHERY OPERATION PROGRAM
PROPOSALS FOR FUNDING IN FISCAL YR 1991
files: RFP.dbf, RFP.frm

PROPOSED BY	LOCATION	PROJECT DESCRIPTION	COST SUB TO	ID NO.	COMMENT	RATE	C. Total
** CATEGORY: Program Administration							
U.S. Fish & Wildlife Service		Operation of Klamath Field Office.	262000	USFWS PA-3	Continues ongoing project.	73	262,000
U.S. Fish & Wildlife Service	RED LINE	USFWS Regional Office overhead.	80000	USFWS PA-4	Continues ongoing project.	69	342,000
Humboldt St. University Foundation		Organize a technical library.	7345	USFWS PA-1	Library at the Klamath Field Office.	60	349,345
Barbara K. Witmore	Basin Wide	Reduce conflicts between user groups.	48865	USFWS PA-2		17	398,210
** Subtotal **			398210				
*** Total ***			7355306				

YUROK TRANSITION TEAM

P.O. Box 218
Klamath, CA 95548
(707) 482-2921 (800) 334-6689

517 Third Street, Suite 21
Eureka, CA 95501
(707) 444-0433 (800) 848-8765

Team Members



Charles Abbott



Lisa Sundberg-Brown



Sam Jones



Sue Masten



Robley Schwenk



June 26, 1990

Mr. Walt Lara, Jr.
Yurok Representative
Klamath Restoration Task Force

Mr. Lara:

The Yurok Transition Team's Natural Resources Advisory Committee at a meeting on June 23 completed a preliminary review of the Draft 20 year restoration plan for the Klamath Basin. As a result of that meeting they request that you, as the Yurok Representative, make the following recommendations to the Klamath River Task Force.

1. That the 20 year planning document will include a disclaimer to the effect that: "Nothing in this plan is intended to or shall affect the jurisdiction or rights of any Indian Tribe."
2. That the 20 year planning document will include a definite "window" in which to integrate the Yurok Tribe's own Reservation specific 20 year plan which is to be developed. Policy to be iterated should include:
 - a. "On-Reservation restoration measures shall be developed in consultation and coordination with the Yurok Tribe, and shall be implemented only with the cooperation of the Yurok Tribe."
 - b. "The plan approved by the Task Force shall provide for funding of restoration activities which complement the activities of the Yurok Tribe, and shall not diminish, impair or limit the recognized unique rights, powers, and concerns of the Yurok Tribe with respect to its Tribal resources."
3. That the 20 year planning document include in its section on "Project Selection" under the subheading "Evaluation Process" language which clarifies that all projects which will employ Indians and unemployed commercial fishermen will be given special priority in the evaluation process as specified by the Act.

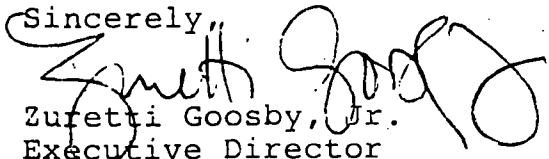
It is recommended that additional project ranking points be given to these projects after they have been reviewed for technical merit by the work group, and prior to final recommendations for funding to the Task Force.

4. That the 20 year planning document include in its section on "Project Selection" under the subheading "Project Administration Procedures", language which specifies that all interagency agreements and cooperative agreements for projects or work to be performed within Reservation boundaries using federal dollars under the Act, will specify that a reasonable and negotiated number of Yurok people will be hired and or trained for work on those projects.

In addition, the Natural Resources Advisory Committee has recommended that as the Yurok Representative you provide full support to the Klamath Tribe in their request that the area of the Basin above Iron Gate Dam be included in the 20 year restoration program.

The Advisory Committee further wishes you to know that they consider the above recommendation language preliminary, and that they will seek counsel on final recommendations prior to the public hearing on the Draft plan in July.

Sincerely,


Zuretti Goosby, Jr.
Executive Director

KLAMATH FISHERY RESTORATION PROGRAM
FEDERAL WORK PLAN, FISCAL YEAR 1990
files: 90fedwp.dbf, catprpsr.ndx,
90wp2.frm

ATTACHMENT 10

CATEGORY	PROJECT	COOPERATOR	PROJECT DESCRIPTION	COST STATUS
** ADMINISTRATION				
ADMINISTRATION	90-0.1	USFWS	OPERATE KLAMATH FIELD OFFICE	187500
ADMINISTRATION	90-0.2	USFWS	REGIONAL OFFICE OVERHEAD	95000
ADMINISTRATION	90-0.3	USFWS, KLAMATH FO	ADD A PROGRAM EVALUATION BIOLOGIST TO STAFF	51500 Biologist now on staff.
** Subtotal **				334000
** ARTIF. PROPAG.				
ARTIF. PROPAG.	90-5.1	NCIDC	LATE FALL CHINOOK STOCKING, YUROC RESERVATION	109653 Underway.
ARTIF. PROPAG.	90-FR/117	NCIDC	REAR CHINOOK IN MID-KLAMATH PONDS TO YEARLING SIZE	26000 Agreement amended, sent to cooperator for sig.
** Subtotal **				135653
** EDUCATE				
EDUCATE	90-3.21	CHICO STATE U.	QUESTIONNAIRE SURVEY	18265 Agreement being processed in portland.
EDUCATE	90-3.2	USFWS	PUBLIC INFORMATION	40000 Slide show complete. Brochure & newsletter in review.
EDUCATE	90-3.1	USFWS - CONTRACT	CLASSROOM CURRICULUM, TEACHER TRAINING	69000 Being processed in Portland for bid invitation.
** Subtotal **				127265
** GET INFORMATION				
GET INFORMATION	90-FP-1	KARUK TRIBE OF CALIF	ESTIMATE KARUK SUBSISTENCE HARVEST	15295 First year of two-year project.
GET INFORMATION	90-2.71	ROGERS/WOOD	SHASTA R. FISHERIES WATER QUALITY PROJECT	23233 Underway.
GET INFORMATION	90-2.41	USFS SALMON R RD	SALMON SUBBASIN HABITAT PRODUCTIVITY SURVEY	45247 Underway.
GET INFORMATION	90-2.21	USFS SALMON R RD	SPAWNING GROUND UTILIZATION SURVEYS	81568 Underway.
GET INFORMATION	90-2.52	USFS SIX RIVERS	CAMP CREEK DOWNSTREAM MIGRANT STUDY	15000 Underway

ATTACHMENT 10

KLAMATH FISHERY RESTORATION PROGRAM
FEDERAL WORK PLAN, FISCAL YEAR 1990
files: 90fedwp.dbf, catprpsr.ndx,
90wp2.frm

CATEGORY	PROJECT	COOPERATOR	PROJECT DESCRIPTION	COST STATUS
GET INFORMATION	90-2.23	USFWS	BLUE CREEK STUDIES	50100 Field work continuing.
GET INFORMATION	90-2.22	USFWS	STUDIES IN SMALL TRIBS, LOWER KLAMATH	24000 Field work continuing.
GET INFORMATION	90-2.51	USFWS	TRAP OUTMIGRANTS, LOWER KLAMATH RIVER	27200 Field work continuing.
** Subtotal **				281643
** MANAGE HABITAT				
MANAGE HABITAT	90-2.42	HOOPA VALLEY BC	PINE CR. HABITAT EVALUATION/IMPROVEMENT ASSESS.	31188 Underway.
MANAGE HABITAT	90-4.3	PSMFC	IMPROVE MAINTENANCE OF DIVERSION SCREENS	23911 Underway.
MANAGE HABITAT	90-4.2	SISKIYOU RCD	SCOTT R. BASIN SEDIMENT STUDY, PHASE II	30768 Underway.
** Subtotal **				85867
** PLAN PROGRAM				
PLAN PROGRAM	90-1.1	KIER ASSOCIATES	AMEND LONG-RANGE PLAN TO INCLUDE UPPER BASIN ISSUE	30149 Contract amendment being processed in Portland.
** Subtotal **				30149
*** Total ***				994577

KLAMATH FISH RESTORATION PROGRAM
PROPOSALS APPROVED BY THE TASK FORCE
FOR THE 1991 WORK PLAN
MEETING OF JUNE 26-27, 1990

PROPOSED BY	LOCATION	PROJECT DESCRIPTION	COST FUNDED ID NO. BY	COMMENT
** CATEGORY: Education Kidder Creek Environmental School	Kidder Creek	Educational field study of fish requirements and riparian restoration.	2500 USFWS E-1	Salmon and steelhead reared in tank will be studied by students from several counties at environmental school.
Diane J. Higgins		Develop education program for school children.	67500 USFWS E-3	Continues ongoing classroom education project.
Paula Fitzgerald Yoon		Portable information display for Klamath Fishery Restoration Program.	7500 USFWS E-4	Cost for two displays.
U.S. Fish & Wildlife Service	Basinwide	Public Information Program. Continues ongoing program: presentations, media etc	40000 USFWS E-8	
** Subtotal **			117500	

KLAMATH FISHERY RESTORATION PROGRAM
PROPOSALS APPROVED BY THE TASK FORCE
FOR THE 1991 WORK PLAN
MEETING OF JUNE 26-27, 1990

PROPOSED BY	LOCATION	PROJECT DESCRIPTION	COST FUNDED ID NO. BY	COMMENT
** CATEGORY: Fish Protection CDFG, Yreka	Kidder Creek	Screen diversion.	15000 CDFG 017	
CDFG	Shasta River	Modify and repair Shasta River fish counting facility.	23639 USFWS 193	Construction to begin after 1990 chinook count.
Karuk Tribe of California	Klamath River, Ishi-Pishi Falls	Estimate, by species, Karuk subsistence harvest.	26514 USFWS FP-1	Information requested by Klamath River Management Council. Second year of a two-year project.
USFWS, FAO Arcata	Lower tributaries to Klamath River	Estimate spawning, juvenile production, habitat.	40500 USFWS FP-3	Revision of ongoing project. Estimate fall chinook spawning, fall chinook & steelhead juvenile production in 24 tributaries.
USFWS, FAO Arcata	Blue Creek	Estimate chinook stock status and potential for enhancement.	57400 USFWS FP-4	Revision of ongoing project.
USFWS, FAO Arcata	Klamath River at Big Bar.	Monitor juvenile salmonid emigration.	2750 USFWS FP-5	Operate traps during fall yearling outmigration
USFWS, FAO Arcata	Lower Klamath River and estuary.	Estimate juvenile fish standing crop and outmigration.	27750 USFWS FP-6	Continues an ongoing project.
** Subtotal **			193553	

KLAMATH FISH RESTORATION PROGRAM
PROPOSALS APPROVED BY THE TASK FORCE
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MEETING OF JUNE 26-27, 1990

PROPOSED BY	LOCATION	PROJECT DESCRIPTION	COST	FUNDED BY	ID NO.	COMMENT
** CATEGORY: Fish Restoration Robert Will	Salmon River, Little North Fork	Rear fall chinook salmon from fry to yearling size.	18835	CDFG	002	To mitigate for fire damage.
Shasta RCD	Fall Creek	Rear excess Iron Gate fall chinook.	25640	CDFG	003	Rear 150-200,000 yearlings.
CDFG, Yreka	Camp Creek	Replace rearing troughs.	3350	CDFG	005A	
CDFG	Hammell Cr. (North Fork Salmon R.)	Rear chinook fry for transfer to Little North Fork facility.	14239	CDFG	005B	Funded by Salmon Stamp in current fiscal year.
Ouzel Enterprises	Kidder Creek	Operate rescue/rearing facility for steelhead.	25677	CDFG	057	Rear 40,000 fish.
Ouzel Enterprises	Shackleford Creek	Operate rescue/rearing facility for steelhead.	23384	CDFG	061	Rear 40,000 fish.
NCIDC	Elk, Red Cap, Grider, & Camp Creeks	Operate rearing ponds for yearling chinook.	93637	CDFG	117	Initiated in 1979.
Eagle Ranch	Cold Creek, Trib to Bogus Creek	Operate rescue/rearing facility for steelhead.	12466	CDFG	140A	Rear 15,000 fish.
Eagle Ranch	Cold Creek, trib to Bogus Creek	Operate rescue/rearing facility for steelhead, enhanced level.	16937	CDFG	140B	Rear 30,000 fish.
Orleans Rod & Gun	Scott River	Operate rescue/rearing facility for steelhead	8851	CDFG	170	Rear 18-20,000 fish.
NCIDC	Klamath River, Yurok reservation	Late run fall chinook accelerated stocking program.	124633	USFWS	FR-1	Continues ongoing project.
NCIDC	Klamath River, Yurok reservation	Late run fall chinook gillnet capture project	22798	USFWS	FR-2	
CDFG	Klamath River, several tributaries.	Estimate adult contribution of pond reared salmon.	27600	USFWS	FR-3	Juvenile salmon are from Iron Gate hatchery. Klamath Restoration Program funded this project in FY89.

** Subtotal **

418047

KLAMATH FISHERY RESTORATION PROGRAM
PROPOSALS APPROVED BY THE TASK FORCE
FOR THE 1991 WORK PLAN
MEETING OF JUNE 26-27, 1990

PROPOSED BY	LOCATION	PROJECT DESCRIPTION	COST FUNDED ID NO. BY	COMMENT
** CATEGORY: Habitat Protection Energy and Resource Advocates	Klamath Basin, Salmon River & west.	Remote sensing and GIS feasibility analysis.	36830 USFWS HP-1	Scope of work reduced from original proposal.
Siskiyou RCD	Scott River, Scott Valley portion.	Inventory riparian zone.	7054 USFWS HP-10	
HSU/CCFRU	Salmon River	Estimate spawning and rearing habitat for spring chinook and summer steelhead.	10281 USFWS HP-3	Will recommend protection and restoration measures. USFS contributes additional \$51,000
USFS, Klamath NF	Salmon River, South Fork	Conduct watershed improvement needs inventory (WINI).	18500 USFWS HP-7	USFS contributes additional \$10,000.
USFS, Klamath NF	Salmon River Subbasin	Analyze sediment delivery.	33190 USFWS HP-9	USFS contributes additional \$67,700. Estimate sediment outputs will be related to stream habitat inventories.
** Subtotal **			105855	

KLAMATH FISH RESTORATION PROGRAM
PROPOSALS APPROVED BY THE TASK FORCE
FOR THE 1991 WORK PLAN
MEETING OF JUNE 26-27, 1990

PROPOSED BY	LOCATION	PROJECT DESCRIPTION	COST FUNDED ID NO. BY	COMMENT
** CATEGORY: Habitat Restoration				
CDFG, Yreka	Bogus Creek	Fence to exclude cattle from riparian.	4232 CDFG 014	4,000 feet of fenced stream.
Hoopa Valley Business Council	Pine Creek	Control or prevent erosion of sediment into Pine Creek.	62593 USFWS 065	Erosion control prescriptions to be developed through the existing Pine Creek inventory project.
USFS, Klamath NF	Nordheimer Creek	Remove migration barrier to upstream passage.	7600 CDFG 111	Provides access at low flow.
USFS, Klamath NF	Salmon River, North & South Forks.	Provide native plants to reseed riparian zones.	13957 USFWS 112	Collect seeds, grow seedlings.
USFS, Klamath NF	Salmon River, North and South Forks	Place cover ledges in pools.	2910 CDFG 113	Benefits adult spring chinook and summer steelhead.
USFS, Klamath NF	Elk Creek	Place boulder weirs and coarse woody debris.	18872 CDFG 114	Provides year-round rearing habitat.
USFS, Klamath NF	Elk Creek, r.m. 8.5	Place boulder weirs for spawning and rearing habitat.	17330 CDFG 115	Benefits chinook, coho, steelhead.
USFS, Klamath NF	Elk Creek, r.m. 4.6	Place boulder weirs and coarse woody debris for spawning and rearing habitat.	20505 CDFG 116	Benefits chinook, coho, steelhead.
CDFG	Klamath River, various tributaries.	Provide one work year of diversion screen maintenance.	27589 USFWS HR-15	Pays one employee, Yreka screen shop. Continues ongoing project.

**** Subtotal ****

175588

KLAMATH FISHERY RESTORATION PROGRAM
PROPOSALS APPROVED BY THE TASK FORCE
FOR THE 1991 WORK PLAN
MEETING OF JUNE 26-27, 1990

PROPOSED BY	LOCATION	PROJECT DESCRIPTION	COST FUNDED ID NO. BY	COMMENT
** CATEGORY: Program Administration				
U.S. Fish & Wildlife Service		Operation of Klamath Field Office.	262000 USFWS PA-3	Continues ongoing project.
U.S. Fish & Wildlife Service		USFWS Regional Office overhead.	80000 USFWS PA-4	Continues ongoing project.
** Subtotal **			342000	
*** Total ***			1352543	

Notes from the TWG meeting
June 12-13, 1990
Eureka, CA

NOTE: All references to proposals are standardized to indicate category (XX) and project number (###). References to XX/### will be proposals received through the CDFG and shown on the project listings as three digit numbers. XX-## will be proposals presented to USFWS as shown on the project listings.

Thursday, June 12.

Introductions.

Ron Iverson (serving as the interim Chair) opened the meeting and asked the work group to introduce themselves and give a brief synopsis of their experience. (Tom Stokely not present).

Election of Chair.

Scott Downey nominates Jim Waldvogel, Del Robinson seconds.
Sandy Noble nominates Jack West, Jack declines.
Ronnie Pierce nominates Bob Franklin.

Nominees recount their specific experience qualifying them to serve as chair:

Bob Franklin states that he has been involved in the restoration program on the Trinity, and their variety of mistakes has provided him with background information. He feels that he has a great personal and professional interest in this restoration program.

Robinson asked if the Hoopa tribe (whom Bob represents) has any direct interest in this program?

A: Yes, many projects.

Q: Will your involvement with the Trinity side cause any conflicts?

A: There should be no conflict, other than meeting dates.

Franklin added that he has tried to incorporate many disciplines into his background.

Jim Waldvogel recounted that his experience which includes working as a Sea Grant Advisor to coordinate the activities of many agencies and interest groups. Jim has worked across state lines and interagency boundaries. Primarily he would like to insure that we meet the legislative intent of the Klamath Act.

Bob Franklin was elected as Chair.

Franklin suggested that Jim Waldvogel serve as co-chair.

Jack West stated that we may not need to appoint a co-chair, because this group should stay informal. The working procedures should be similar to the Task Force's (informal parliamentary procedure).

Clarification of this group's role: this Technical Work Group (TWG) serves to work for the Task Force by evaluating each project based on its technical merit. Political forces will not be used here.

Review of Technical Work Group (TWG) Operating Procedures.

Accomplishment of Procedures (appendix to May 10 mailing).

Since 85 proposals were received, Ronnie Pierce wants the TWG to address: the time allotment for each proposer to speak, the ranking criteria and category changes. The Budget Committee will make the recommendation for the placement of the red line after the TWG makes recommendations based on the technical merit.

Discussion on project proponents.

Presentations by proponents will be scheduled as the proponents arrive. A sign-up sheet for proponents will be provided by KFO staff. In this way, proponents will be able to estimate the length of time required until it is their opportunity to address the TWG. The master database table will also be available for proponents to review. Private proponents will present their cases on their proposals prior to proponents who are government employees or TWG members in order to avoid undue waiting by private parties who have traveled to get here.

Discussion on funding availability.

The TWG will recommend only those proposals that warrant funding, the full money allotment will not be allocated just because the money exists.

Scott Downie asked if this is "no-year" money.

(Ron Iverson): The Act calls this "no-year" funding, but there is a glitch in FWS showing that it will be used every year. It is possible that we could ask the RO for an IOU and then have it taken out of overhead.

Iverson clarified that right now the Presidents budget is for \$1 million. We could spend more than \$1 million/year, but it has to be approved by Congress in advance. Extra money from FY1990 is available for funding right now.

More discussion on Operating Procedures.

Jack West wants to revise the ranking criteria. Bob Franklin wants the TWG to develop a general philosophy of the group. Sandy Noble wants this group to identify long-term fixes, and band-aids until a "scab" can form. In this way, interim projects will hold the program until the longer-term ones take affect.

Discussion on state and federal funding procedures.

California Dept. of Fish and Game puts out RFP's in a system governed by law, there is a set dollar amount from set sources.

Ron Iverson stated that all the proposals, those submitted to CDFG and those submitted to FWS, are looked at together because the TF recommended this. Later, the state decides its funding specifics. Jim Yarbrough replied that there are some proposals from the state that have been "rejected", BUT, there is still room for negotiation.

The funding matches are on an overall, rather than year-by-year, basis.

West recommends that we confirm the "game rules" for the TWG before the rating system is in place. We need to decide what is most important.

Ronnie Pierce concerned about criteria (what about selective bias towards Indians)?

Craig Tuss concerned that CDFG, in their own ranking process, may not be ranking these the same, because of the restrictions on CDFG funding. Mike Bird said that the CDFG rankings would be based on the technical merit only.

Criteria for ranking these projects should be decided today.

Iverson clarified that May 18 was the target date for proposals to be received. This date was set to allow xeroxing and distribution time for proposals, but proposals were accepted after that date. Tricia Whitehouse passed out proposal E-8 for the Public Information Program at the Klamath Field Office.

Discussion on length of time for each proposal.

ORAL PRESENTATIONS GIVEN BY PROPONENT BEFORE TWG MEMBERS.

After the midmorning break, eight project proponents entered the room. Chairman Franklin asked them to concentrate on answering questions, rather than making presentations of information already provided in their written proposals. The first proponent on the list was called upon to clarify any questions that the TWG might have.

FR/170: Steelhead rescue/rearing. Orleans Rod and Gun Club, Bob Simmons.

Q: If wild fish are not available for your rearing project, would you use hatchery steelhead?

A: Yes, as we have done in the past. We are in our fourth rearing cycle... and are asking for funding to continue.

Q: Would you release fish at a different location if requested?

A: Yes. Last year, we released both hatchery and natural (Salmon River) steelhead into the Salmon River.

Q: Any operational problems?

A: We have installed a new water line and feel we now have a secure water supply.

Q: Are fish returned where they came from?

A: Yes, Scott River.

Q: What provisions do you make for disease control?

A: We are frequently inspected and advised by CDFG fish health biologists.

HP-2: Evaluate impacts of suction dredging on fish habitat. Harding Lawson Associates (Mitchell Ketzell).

Q: Why do you show task 2.6 as optional?

A: We are told by Jack West that fine sediment doesn't appear to be a problem in Elk Creek, but there is no data on this. We would sample gravel from spawned areas, to estimate the cleansing effect of redd building.

Q: Isn't there sand in Elk Creek, and isn't that a limiting factor for spawning?

A: We understood West to say it is not a problem.

(West): I would say there is little sand in Elk Creek.

Q: Will you estimate stability of gravels?

A: This would be a principal objective: to relate gravel movement to stream discharge.

Q: You propose to sample five miles of Elk Creek?

A: Yes, but we could move our sampling depending on where gold dredging occurs.

Q: Is Elk Creek an important gold dredging area?

A: (Allan Olson, USFS): lower Elk Creek is extensively dredged. Chinook seem to use the dredge tailings for spawning... probably because gravel is scarce in Elk Creek. In 1988, we saw up to 80% of those redds in dredge tailings scoured out by high water.

Q: What information would you propose to obtain?

A: First, redd counts; second, for each redd, whether the substrate is mobilized; third, the discharge at which the gravel is mobilized.

Q: Any control redds?

A: We did not propose that, but it could be added.

Q: Do you propose to examine chinook redds only?

A: Yes, but we could modify the proposal to include steelhead if you wish.

PA-1: Technical library. Humboldt State University Foundation (Robert Sathrum)

Q: You propose to review current literature. Would you search for unpublished material, and how?

A: We have budgeted for travel to track down that material. The next step, after locating information, would be to establish a database at Klamath Field Office.

Q: Would the information be available to agencies only?

A: That would be up to the Field Office... our system would impose no limitations.

Q: After the Field Office is gone, where would the information go?

A: Existing, permanent libraries could take some of the material.

Q: Could Klamath Field Office take on this job themselves?

A: You who are biologists know the extent of the literature. Organizing these masses of information into libraries for ready retrieval is kind of a librarian's specialty.

Q: If someone wanted a hard copy of a document, how would they get it?

A: We propose to train KFO staff in running a lending system.

Q: How would the library be maintained once it is set up? By KFO staff?

A: Yes. There would be a continuous flow of new reports, plus a need for periodic searches of literature review/abstracting services.

FR/057: Kidder Creek steelhead rescue/rearing and

FR/061: Shackleford steelhead rescue/rearing. Ouzel Enterprises (Richard Wood)

Q: How many fish would you rear at Shackleford?

A: 40,000 yearlings... to be released at locations identified by CDFG.

Q: What would you do if they start to smolt before the scheduled release time?

A: We would seek advice of CDFG.(Bird): State policy is to release these fish at yearling size.

Q: What is your water temperature?

A: Shackleford Creek is snow melt, stays cool enough to harbor wild steelhead year-around.

Q: Explain statements in the written proposal about superimposing reared steelhead on wild fish.

A: CDFG used to release all rescued/reared fish at one spot in the Scott River, at a time of year when environmental conditions are declining. Rescue programs don't seem to have increased overall steelhead returns to the Scott basin... and superimposition may be a reason why.

Q: How does your rearing program tie to the Kidder Creek environmental education camp?

A: We offer our services to their program... so kids learn about fish.

Q: Who provides your labor?

A: At the Kidder Creek facility, the education camp manager feeds fish. On Shackleford Creek, the landowner may do this.

HR/058: Remove migration barrier on Clear Creek. Ouzel Enterprises (Dick Wood)

Q: Are you sure this log jam is a barrier to fish migration? It may provide beneficial cover, if it is not a barrier.

A: We think it is a potential barrier. The log jam formed in 1964, and was removed by CDFG. As the channel degrades, buried logs are exposed, trapping more debris.

HR/060: Indian Creek spawning habitat improvements. Ouzel Enterprises (Dick Wood)

Q: Have you assessed stream hydraulics to estimate how long the proposed improvements may last?

A: The location is similar to others where instream structures have been successful. We think it a good location, and CDFG staff agree. We haven't gathered hydraulic data or done any detailed engineering.

Q: Why is spawning gravel lacking now?

A: The stream is armored with cobbles... smaller material tends to leave in high water. We would construct improvements in a side channel protected from high water.

Q: Is spawning habitat limiting in Indian Creek?

A: Yes, based on our observations... we see little spawning habitat in this reach.

Q: Have you observed superimposition?

A: We observed many fish spawning in one small area that is unarmored.

Q: (West): Our data indicates Indian Creek can presently accommodate more than 500 redds... it is underutilized.

A: Disagree... the creek is extensively armored.

Q: Would the area where you propose structures tend to re-armor?

A: It is a side channel which appears to have existed for a long time... I don't think it would armor. By changing gradient, I think we can improve size distribution of substrate.

Q: Would you construct a control device at the head of the side channel?

A: We don't propose to.

Q: If you had limited funds to construct the Ouzel Enterprises proposals, which would you fund first?

A: I think rearing habitat construction generally has the best cost/benefit ratio, but beyond that I couldn't say.

FP/171: Adult spring chinook and steelhead inventory. Great Northern Corp. (Dick Wood)

Q: Does this duplicate some Forest Service projects?

A: (West): to some extent.

Q: Is this a one-year proposal?

A: Yes, because that is CDFG's guideline for proposals. A five-year duration would make more sense for monitoring spawning.

Q: Could you just monitor index stretches of streams?

A: CDFG has found this doesn't work well... year-to-year variation in fish distribution is too great.

Q: How do you estimate the reliability of observers, and how do you calibrate surface observation and snorkel observation?

A: We would walk riffles, dive everything we can't observe by walking. We would use paired divers. I don't know how to calibrate walking and diving observations.

Q: Your cover letter mentions inventorying fish in rivers outside the Klamath basin.

A: Our proposal to CDFG was meant to cover most North Coast rivers. We would have to modify our cost estimate for just working the Klamath system... it would be about \$25,000, including Salmon River. I know the Forest Service inventories some of these streams, and we would propose to coordinate with them.

Q: Who would get the diving equipment at the end of the year?

A: Doesn't matter -- it would be worn out.

Q: More information on cost, please.

A: The Salmon River would cost about \$5,000. If the Forest Service does that, we would need about \$20,000 to inventory Red Cap, Dillon, Indian, Elk, and Bluff Creeks -- one pass.

HP/172: Monitor water quality in Klamath River and major tribs. Great Northern Corp. (Dick Wood)

Q: What products?

A: A description of water quality from Klamath Falls to the river mouth, and from summer low flow out to the start of the rainy season.

Q: How would lab work be done?

A: We would do our own.

Q: Aren't there a lot of agencies doing this kind of work?

A: In fact, little is being done to collect water quality data. We would look at parameters most important to fish: Temperature, {O2}, unionized NH3... little of this has been collected. USGS data is mostly physical characteristics.

Q: What equipment would be used?

A: Temperature would be recorded on data loggers... would be owned by Fish and Wildlife Service.

Q: Are eight stations enough?

A: That would be the continuous temperature recording. We would also sample water in all major tributaries, doing a full spectrum water quality analysis. This wouldn't be up to DWR standards, but would be sufficient to detect levels that affect fish.

Q: At what intervals are temperatures recorded?

A: Every ten minutes.

Q: What spectrum of dissolved substances would you analyze for?

A: Mercury, lead and zinc analysis would cost \$250-500/sample at an EPA approved lab in Medford or Redding. Organics can be estimated for \$500/sample -- a spectrum of major organics. CDFG has looked for organics and heavy metals in Klamath River and didn't find much, but they found pentachlorophenols in Shasta River. They analyzed fish tissue -- we would analyze water.

Q: Is there information on how various levels of these substances may affect fish?

A: There is some literature.

Q: Your cost is revised down to \$120,000?

A: Yes, because cost of data loggers is less than we thought.

Q: Can you really cover all that geography for \$120k?

A: We can cover the basin in three days, with a lab built into a pickup camper.

Q: Can you accomplish all the projects you have submitted, should they all be funded?

A: We would hire help... there are good water quality technicians looking for work.

HP-4: Habitat and juvenile fish survey, Shasta River, Shasta Valley RCD and

HP-6: Habitat and juvenile fish survey, Scott River, Siskiyou RCD (Dick Wood)

Q: Would you subsample habitat units randomly?

A: We would sample 1 of 8 habitat units, with a random start point. We would try to replicate Klamath National Forest methods as closely as possible... just extending surveys to new stream reaches.

Q: Are your people trained?

A: We don't have a staff trained for this work. If funded, we would hire and train field workers. We would basically be extending Forest Service surveys into new areas -- we understand they don't work on private land, for example. We picked a target of 17 stream-miles because we figured we could do that for \$50,000, which, we understand, is an upper limit for project size. If the money stretched further, we would survey more stream lengths.

Q: Your estimated cost is about \$3,000/mile?

A: Yes.

Q: Can you get access to private land?

A: We would have to skip land we can't get on.

Q: Under proposal HP-6 you would survey the valley reach of Scott River up to about Fort Jones?

A: Maybe further upstream.

Q: So you would have to come back in a subsequent year to finish the Scott Valley? A: Yes.

Q: What about dry sections of the Scott? It could be mostly dry.
A: We would skip.

Q: Given that Shasta River has terrible water quality, what is the value of detailed information on low-water habitat types in a stream that is uninhabitable in summer? How about combining funding from the two proposals and surveying the whole valley reach of Scott River?
A: We would be willing to do that.

HP-5: Monitor Shasta River water quality. Shasta Valley RCD (Dick Wood).

Q: Does the proposal differ from the project now underway in Shasta River?
A: No, a continuation.

Q: Must all the same water quality parameters be measured, or could we drop some?

A: We have a gap in our data in early spring 1990 because of a late contract start... we need to monitor all parameters early next spring to have a full data set.

Q: But your agreement covers a full year of sampling, so you are obligated to sample next spring if you missed this spring.

A: We still haven't gotten delivery of all equipment, so some of the nutrient analysis couldn't be done until next year.

Q: Are you analyzing for herbicides/pesticides?

A: No. Northern California Water Quality Control Board intended to do that, but they haven't been able to...so no data in 1990.

E-2: Implement Education Program for Del Norte County. Rural Human Services.

Description of Rural Human Services (RHS) and their function: They do rehab work in classroom setting, for education in Del Norte Co. They're a broad scoped agency. The educational project will be presented to the local user groups in the mouth of the Klamath River area.

Q: Aren't these projects being done by Yreka Field Office?

A: This effort is specific in Del Norte County, and it's not being done.

Q: Is there duplication with Tricia's work?

A: (Whitehouse) Yes, I'm sending press releases to 99 various media contacts, 35 releases scheduled for next year. (But media may not print these articles.) I'll be contacting chamber of commerces to present all aspects of Klamath River project.

(Noble): Not clear on the products of proposal. Materials are \$2800... seems low to fund this project.

Q: What will we get?

A: Information presented to the fishing groups, plus substantial media exposure. Also a broad scale educational project that will bring broad based user groups together. The project will be subject to USFWS review. We do several education programs that are not necessarily fish and wildlife projects, but we are familiar with this type of project.

HR/028: Lynn Creek habitat restoration, Rural Human Services.

Concerns expressed by TWG members:

- o Lynn Creek is a minor contributor to the Klamath River stocks.
- o The staff of Redwood N. Park were not aware of the creek.
- o Too much money expended for small stream, only .75 mile.

Q: There are fish in creek already, why fix it?

A: There are juveniles in stream, but habitat problems exist.

Q: The fish have not been proven to be there?

A: Yes (they have not), but they are apparently there.

PA-2: Reduce Conflicts Between User Groups, Barbara Whitmore, Basin Wide.

Proposal presented by Barbara Whitmore. "I've sensed the need to coordinate everyone so that the user groups can develop relationships. I believe that we need to seek God in a prayer support project. Things are getting worse."

Concerns of TWG members:

- o Administrative and meal expenses too high.
- o Possible improper funds allocation.
- o Project coordinator inexperienced.

FR/005b: Fish Rearing Facility and Transfer, Hammell Creek, CDFG.

(Bird): This project is already funded.

No discussion.

HR-2: Suction Dredging, Trinity Alps Mining Co., presented by Brian Hill.

Concerns expressed by TWG members:

- o Task Force being requested to pay for a lot of equipment.
- o Confusion about work and objectives.

Q: Who gets the gold?

A: If we worked on a miner's claim, they would get a royalty of 10 percent.

Q: How will you determine effects on fish?

A: We document each specific location, just below dredge. The film presents the problems regarding the effects of suction dredging on fish, then promotes public awareness and restoration. One film may be able to show each portion of project, and also show how to mine ecologically, but my main thrust is to show that the miner can do the restoration work more cheaply because of the compensation from mining. This process may be presented to congress as well.

Q: This is to remove sediment?

A: Yes, gravel would be classified, leaving useful rocks, gravel etc.

Q: Will work be above flood plain?

A: Yes.

E-3: Education program development. Presented by Diane Higgins.

Concern expressed by TWG members:

- o Unclear on the quantity of products.
- o Inadequate representation from all counties.

Q: What's the final product?

A: You'll get a package of materials that each teacher will get in the classroom. They'll contain 30 lessons, grades K - Jr High. We are also putting out 1 page flyers and photos on the restoration sites so that teachers can use them without taking classes to specific restoration sites.

Q: These materials must be approved at the state level?

A: No. They have to be if they're mandatory classroom material, but not in this case. I also have other curricula that are not "approved" by the State.

Q: Is this to teach the teachers? A: Yes.

Q: How do you select teachers?

A: I've sent applications with questions about background.

Q: Is there much interest shown by the teachers? A: Yes.

Q: What does the future hold?

A: It's too premature to evaluate the project. We would look at it later and possibly improve. It's pretty much like last year.

Q: How many classrooms will be involved?

A: Hopefully thousands of students in first year. It usually mushrooms and will grow with enthusiasm and people should become more involved.

Q: If it gets partial funding, will it still go?

A: Yes, but not very far without the summer institute.

Q: What kind of response from high school level?

A: They're interested, but the project is not as well presented to them.

HP-3: Estimate spring chinook and steelhead rearing habitat in Salmon River, presented by Roger Barnhardt.

Concerns expressed by TWG members:

- o Can USFWS generate multi-year contracts?
- o USFS funding student work in '91-'92, but will USFS fund student work in '93?
- o Students may shift to other projects later.
- o One year of study may not provide enough data.

Iverson stated that multi-year contracts are possible. Barnhardt stated that he just wants the FY-91 funding in this proposal.

Q: Dye marking doesn't persist on juveniles?

A: Dye will last for 4 mos. Acrylic paints are new, I may use this material, it may be better. It's injected.

Q: How are emergent fry marked without high mortality?

A: We'll use fry traps. They'll be small, but we'll mark them individually. We marked fish last fall on the Mattole River with success.

Q: Will project stand alone without successive funding?

A: Yes, this will fund graduate students for masters projects, on chinook.

Q: Is this a replication on chinook data gathering projects? A: No.

Q: Why the 2nd year of study?

A: Because of steelhead.

Q: Is Fall steelhead information available in the literature that may be used for spring steelhead?

A: Adult summer steelhead information is different than winter steelhead, we don't know if they react the same... the stocks aren't holding up like winter steelhead. Spawning and rearing habitat requirements may be different.

HP-1: Remote sensing and GIS analysis of Klamath River Basin. Presented by Jim Adams.

"We are able to develop a tailored analytical tool for the task force to provide information for specific user groups such as school groups and fisherman."

Concerns expressed by TWG members:

- o Unclear of final product, how product will be used in restoration project.
- o Other federal and state agencies may have information, more detailed restoration information needed.

E-4: Portable Information Display. Proposed by Paula Yoon.

Concerns expressed by TWG members:

- o Check for information accuracy should be performed by qualified person(s).
- o Excessive cost.

Q: Is this proposal for production of one display?

A: Yes, It would be ideal to have one for the Klamath River and the Trinity River.

Q: Will you ask the Trinity Task Force for funding? A: Yes.

Q: How would anyone get this display?

A: The Klamath Field Office would be the best place to store it for checkout.

Q: If two identical displays were involved, the cost per item would be less. How much would that be reduced per item?

A: The cost can be provided later. (Maybe 30 to 40% of original, to duplicate another).

(Franklin): We need cost estimates for duplicating the display.

FP-1: Estimate Karuk Subsistence Harvest. Presented by Leaf Hillman.

Concerns expressed by TWG members:

- o FAO Arcata will be doing most of the work.
- o BIA 638 funding may not be available.
- o Inconsistencies between budgets in successive years.

Q: What will the project lead to... better harvest management?

A: The Klamath Management Council can't answer this.

Q: Is this an ongoing project?

A: Yes, with 638 money probably. This funding is requested for 2 years.

Q: The harvest is not monitored presently? A: No.

Q: Is there any monitoring focus on spring run fish?

A: Limited scale in '90, the April 1 schedule in '91 may include this spring run.

Q: This would start Sept 15th, 1990, a speed up process? A: Yes.

Q: Is there a spring fishery at Ishi Pishi for chinook?

A: That changes by year.

Q: What's the labor pool.

A: Tribe involved in labor training program, members involved with basic fisheries activities. Also, USFWS will do some training in identification and other necessary types of training.

E-7: Interpretive signing for Klamath Restoration Project. Presented by Tricia Whitehouse.

Concerns expressed by TWG members:

- o Excessive labor cost for sign installation.
- o Sign distribution limited to USFS lands.
- o Logo design should be unique and identifiable with the Klamath River Restoration Program.

Q: Can we modify proposal for distribution of signs in other places other than forest service lands?

A: Yes, this is a basin wide proposal, other locations are wanted. These signs will be at the sites of restoration and along road use areas. Fifteen signs are scheduled for this year, an interagency sign committee will prioritize locations.

Q: Text accuracy checks will not be limited to "agency biologist"?

A: Right. There will be many other professionals commenting.

Q: Will every sign be site specific or will there be generic information signs?

A: They'll be unique.

FP-8: Klamath spawning ground utilization surveys, Jack West, USFS.

Noted that this is a continuation of surveys started in '88.

Increased efficiency with this funding was primary focus of discussion in defense of proposal.

Concerns expressed by TWG members:

- o Duplication of effort and data with CDFG.
- o Replacement of agency "organic" money with new money.
- o Work should be being done by USFS already.

Q: This doesn't include the Shasta River?

A: Right.

Q: Where's the matching funding source?

A: From USFS.

Q: Do salaries reflect full time employment, benefits, etc.?

A: This figure is included in overhead which is contributed by USFS. There haven't been any full time permanent employees paid from the Restoration Program.

Q: How many people are involved in this?

A: About 14 temporary employees.

Q: Does anyone have this data already?

A: Cal Fish and Game has some, from site specific locations, and this information has been extrapolated. Habitat use data is used to determine heavy use, restoration activity location, etc. A variety of uses are recognized for data.

(West): The USFS and BLM have pushed for challenge cost sharing on the projects. The project becomes high priority for getting USFS funds when

getting 25% to 50% sharing of costs. We can get money easier when we have an agreement with other cost sharing entities. I'm sticking my neck out as a USFS employee by obligating our money, I need some cost sharing from the Task Force. We want to make our money go further, we're not funding permanent employees with task force money.

HP-9: Salmon River sub-basin sediment delivery analysis, USFS.

Q: Is the \$62,000 contribution for a database?

A: Yes, to coalesce all of the information available, probably more like \$100,000 is needed instead of \$62,000.

(West): I instructed all people putting proposals together to show complete costs, the costs are not there to fool the task force. People need to realize that there is an effort and money already put into these projects, whether we get funding or not.

Q: What is preliminary about the analysis process?

A: We're putting together modeling systems that will allow us to refine our model coefficients that allow us to determine sediment volume. Our objectives are to determine the prime effects of sedimentation and assimilate all the data.

Q: Are you doing geologic mapping?

A: Yes, we have a basic geologic database in place. Five years ago USGS quit funding geologic inventory. We have a lot of information gathered by grad students.

HP-7: Watershed improvement needs inventory (WINI), USFS.

Q: Why five miles, is it critical habitat?

A: That's all we have left that is surveyable.

Q: Is this a sub-basin sediment analysis?

A: No, we're doing the upper reaches of South Fork of Salmon River.

Q: What science disciplines will you use for professionals?

A: We'll employ geologists and other professionals to train technicians to do the foot work. The team leaders will provide field review and will split up territories to provide maximum professional supervision.

HP-8: Wooley and Elk Creeks, test methods for impact, USFS.

Concerns expressed by TWG members:

- o Watersheds considered as a pair, but really are not very similar.
- o Elk Creek has numerous work projects in progress or proposed, evaluation of methods will be difficult.

Q: It seems that this is a paired watershed. Having been on both streams, these are not the same and are not a pair. There is a reference to dredge mining on both creeks. Is it a problem here?

A: Yes, there's also some historic logging. We've spent much time looking for watersheds that meet the paired watershed idea criteria. They provide the best fit for the project. Wooley Creek is not completely pristine, but maybe impact from degradation is minimal. Mining has not seemed to be a major impact on the stream.

Q: How will you determine specific impacts from these "methods"?

A: We have reaches identified so that we can distinguish between the effects that may be from other projects. Wooley Creek hasn't had much work, so it may provide a good comparison. Elk Creek is a good, average run-of-the-mill watershed. It's a domestic water supply.

(Tuss): This is a long term monitoring effort if everything goes according to plan, to monitor many of the effects on a watershed.

Q: \$108,000 is for the first year, and for each subsequent year?

A: Yes, but much of the "up front" costs will be absorbed in the first year.

(Noble): This basin has no long term monitoring, and we don't have any valuable information telling what is happening with the population. A 10 year study will provide better and more useful information about the populations. We'll also be able to address impacts about heavily affected streams. It's a means of getting more than a one time picture of what is in the basin.

(West): We need to be able to evaluate the land management plan, so we're planning to invest money to get the job done. If we expand the evaluation, the task force may also benefit from the data.

(Bryan): We didn't solicit long term proposals.

HR/109: Riparian habitat restoration on Beaver Creek, USFS.

Comments of proponent: The analysis of the stream indicates it's been impacted by the '64 flood and would benefit from this woody debris introduction. Much of the existing debris has been removed for flood control, which has destabilized the debris and has influenced the quality of habitat. We will have permission of landowners prior to start of work.

Concerns expressed by TWG members:

- o Evaluation of work should be performed by contractor.
- o Inadequate engineering of debris tie-downs may cause failure of structure.
- o Contractor should insure that landowners would not disturb sites.

Q: Is there an estimate of total numbers of fish in stream, before and after work? And is there room for significant error in sampling technique?

A: We'll sample 25% of the reaches and/or stream types.

Q: Are there trees available for these structures in the immediate area?

A: We'll have to bring in trees to the areas.

Q: How bad are the fish populations doing?

A: Beaver Creek has the habitat to support large numbers (100 chinook redds)

(West): In '88 there were 138 chinook redds.

Q: Any steelhead?

A: The information is in the USFS study project. Probably in the 40-50th percentile.

HR-9: Plant riparian trees, Beaver Creek, USFS.

Q: What is the species you'll use? And what is the source of materials?

A: Doug fir and ponderosa. Medford is the location of site for seeds.

Q: How successful is the replanting of seedlings?

A: Depends on technique of replanting. Generally, sites are harsh.

HR-13: Road associated sediment on Beaver Creek, USFS.

General discussion: Beaver Creek is a checkerboard land ownership area, potentially a cost sharing area. The ownership is probably 2/3 federal and 1/3 private. The task force cannot dictate use and maintenance after spending money on this road. Proper design is key to successful repair, must make it last.

Concerns expressed by TWG members:

- o USFS should take responsibility to manage/repair their own roads.

Q: How much responsibility does the task force have to repair this damage? (West): The task force will have to deal with this major source of sediment. The USFS has the responsibility to practice stewardship, but we have no mechanism to provide for restoration or maintenance. The land owner can build a road, but the USFS cannot require them to build to government specs. A federal road is built as a by product of timbersale. The source of funding comes from this and only this, there isn't money in the pot for road problems. A timber sale must provide money for maintenance of the road system.

HR/110: Removal of migration barrier, Horse Creek, USFS.

General Discussion: This is an enforcement problem, CDFG should fix the problem. This is also a water right problem, "good 'ol boy" politics also involved.

Q: What type of barrier is this?

A: A burm installed by private land owner. Landowner is not mandated to type of use.

(West): This was noticed as an enforcement problem last year, but nothing has been done since. CDFG hasn't done anything yet. The landowner gets out there in a D-8, makes a dam and diverts the stream into his field.

Q: Would it be cheaper to put in a pump?

A: This is a similar problem to the "road building on private land" problem; How far does the task force go?

(West): The USFS is willing to donate engineering design to alleviate the problem.

HR-11 (Later changed to HP-11): Stabilize landslide, Monte Creek, USFS.

Q: Why this creek and slide?

A: We want to show what will happen if this slide goes. We want to do some investigations on how to stabilize the problem.

Q: Can this slide be stabilized? It's huge.

A: There's a good possibility to stabilize it. The risk involved is worth it.

HR/111: Remove migration barrier to upstream passage, Nordheimer Creek, USFS.

Q: What is habitat like upstream of barrier?

A: Salmon and Steelhead stream, rearing and spawning habitat is available.

(West): It supported 38 - 40 chinook redds in '88. Has about 4 miles of habitat, channel's confined, burned in '77, good gravel, some years the barrier is there, some years it's not. '88-'89 we had about 7 pairs of chinook spawning. This proposes to allow high flows in Salmon River to provide scouring.

Q: Did you calculate hydraulics to ensure you're using boulders of proper size?

A: That's as big as we can move, we didn't calculate hydraulics.

Q: Has this been done anywhere else? A: No, it's a risk.

Q: Where will deposition occur if not in this area?

A: Boulders will cause a scour downstream because of design.

(West): There have been attempts to manually remove material. With little success.

HR-14: Reducing sediment in O'Neil Creek watershed, USFS.

General discussion: We're looking at 2 options. Remove delivery of sediment from road and to relocate road. Cost sharing may be necessary. We have an old road put in for mining and it was never water barred, now a series of dissected gullies. Option one will alleviate the sediment delivery.

Q: Any idea of amount and type of sediment?

A: Real fine granitic sand, a ton-acre per year just a guess, we would try to determine the actual amount.

Q: Do fish use the stream?

A: It is a large contributor of sediment to mainstem Klamath River

(West): It does have minor steelhead usage.

Q: Have landowners been contacted?

A: Land boundaries will be known at end of summer. No contact has been made to landowners to see how they would react.

HR-12 (Later changed to HP-12): Reduce erosion on roads in Salmon River, USFS.

Q: This project is basically a road inventory?

A: HR-12 is an inventory to develop a plan for restoration measures. These roads are 50 miles total and weren't put in with any thought. We need to inspect them.

Q: When estimating percentage of sediment load, could it be as low as 1 percent?

A: A 10% increase of sediment yield occurred after roads were built.

HR/112: Reseed riparian zones, USFS.

General discussion: A private or USFS nursery may be best means of getting trees grown. This proposal is for collecting 3,000 seeds of each species, growing seedlings. A proposal to plant seedlings will follow later. There needs to be a source later on for seedlings.

HR/113: Summer steelhead spring chinook cover ledges in pools, USFS.

Q: This is a new concept, right?

A: We're trying new things based on past observations.

Q: What is this a surrogate for, were there old trees, ledges, etc.?

A: This is to provide protection from poaching, and habitat degradation.

Q: Is this in the main and south fork? A: Yes.

Q: Have the pools decreased in size?

A: The pools in general are filling in. Bank fill-in has caused constrictions and scouring conditions.

HR-10: Reconstruct road to decrease sediment, Taylor Creek, USFS.

Concerns expressed by TWG members:

- o The task force will continually be asked to fix old USFS roads as they need repair.
- o Private road owners may ask for free maintenance next.
- o There should be a cost and labor sharing effort with USFS.
- o Moral and social decisions are necessary; maybe the task force should take a leadership role in this.
- o Timber sales generating revenue for road maintenance are not answers to the problem.

Q: Checkerboard ownership?

A: No, mostly federal land. Upper reaches are granitic, highly erodible, old '64 design, needs new design.

(West): The USFS will continue to maintain system roads that were built in the '50's without design specs. We don't build inslope roads anymore, mostly outslope roads, etc. Problems exist in road system now, we realize that, and are trying to use problems as leverage to get money from USFS to fix them. This erosion is a tremendous problem, and will become more important.

PA-3: Klamath Field Office operating budget, US Fish & Wildlife Service.

Concerns expressed by TWG members:

- o The '91 budget is substantially higher than in past years.
- o Forty-six percent of the federal money is proposed for KFO.
- o The management council could limit their number of meetings, saving money.
- o Twenty million dollars is not going to get the Klamath River restored.

Q: Can you give us some more background?

A: (Iverson): Salaries and Benefits are for 4.25 permanent fulltime employees. Myself, Lila, Harleigh, Doug and 1/4 of Tricia. There's nothing surprising there, except that we shifted Tricia's position to advisory committee support. I used to spend 1/2 my time taking care of meeting notes, and we had to bring in Tricia to help. We pay travel and per diem of KFO staff and other folks (29 people to date supported). Operations and rent are up by \$52,000 because USFS is kicking us out of the building we presently occupy. Lila's initial estimate is the \$52,000.

Q: Who's giving you the boot?

A: The building is going to become a day care center. There's another possibility to get a rent subsidy from Washington Office. Equipment will include a computer, library materials, etc. This meeting and many other expenses are taken from this operations money. This "coordination" is required. We could use the money to promote more income.

(Franklin): The management council will meet on the "as needed" basis, and the potential cost proposed is a real problem.

(Iverson): Ask me what the first thing is that I would chop out of this. It would be this committee meeting.

(Bryan): There are monies coming in from different groups, and this one million dollar figure is not necessarily accurate.

Q: Is overhead non-negotiable?

A: It has been negotiable, but those costs don't go away.

Q: Did Bill Shake go to Bosco to get the restoration projects funded with different monies?

A: This is 1331 money, general money. He's looking for an increase of over \$300,000.

Q: Why is the 8% overhead figured on the total one million dollars?

A: The 8% overhead comes out of every dedicated fund. The Regional Office takes it off. They would still have the work to do in the event that we were not here.

(Whitehouse): Mailing is also a large part of the overhead.

Discussion of Ranking Criteria:

General discussion by TWG members about rating proposals on technical merit, then adding five or ten points to those proposals that include target socioeconomic groups for involvement. Ronnie Pierce indicated that language in the "Act" specified involving these target groups. Ron Iverson added that enforcement of this criterion is difficult, one reason for being eliminated from list of ranking criteria. A suggestion was made and accepted to remain technical and objective. A suggestion was made to weigh the specific ranking criteria, not accepted because TWG members had already ranked the proposals; it would cause duplication of effort.

Q: There was once a 7 point ranking list, now 5. Why?

(Iverson): We eliminated two points because our specific guidance is unclear about the target group criteria.

(Bryan): I think it's a real problem. A contractor may not be able to hire the groups.

(Bingham): It is this committee's responsibility to rate on technical merit. The budget committee and/or task force should deal with this social issue. We, as the task force, will not ignore it.

Wednesday, June 13.

Discussion of rating procedures.

We will follow the system used last year: if someone doesn't want to rank a proposal, then the average will be calculated without their submission (example: Sum of 10 ratings divided by 10).

Discussion on Ranking Criteria.

Q: (Blair Hart) "C-5" cost-effectiveness doesn't seem valuable enough (10%).

A: The contracting process looks carefully at cost-effectiveness, so this group doesn't need to spend as much time on this aspect.

Q: (Mike Bird) How does this funding process work between the federal and non-federal sides?

A: (Iverson) Right now we are deciding the general funding for the Restoration Program, later federal and non-federal will divide up who will fund which projects.

We will flag questions (for the Budget Committee to review in depth) if a large discrepancy exists between what we feel is a reasonable cost and what has been proposed.

Ronnie Pierce makes a motion that we rank the proposals according to the criteria distributed on May 10.

All in favor. Decision to stay with this year's criteria, including point system (not looking at social preference).

Category changes.

(Jack West): HR-11, HR-12. These are studies, should be changed to HP Category.

Ronnie Pierce wants FR-3 considered for FP Category, seems like it could go either place.

Review of the Ranking Process.

Franklin reviewed the process: we will go through these proposals, discussing and rating each one. At the end of each category, the scores will be tallied by KFO staff.

DISCUSSION FOR THE EDUCATION CATEGORY.

E-3: Develop education program for school children.

Diane Higgins proposal to expand the curriculum development and mentor teacher training for grades 7-8. (Continuation of a Task Force approved program, see TF notes 3/89 Task 3.1)

Ronnie Pierce clarified that \$109,000 had been allocated by the Task Force in 1988 for an Education and Public Information Program for each of the next 5 years. Part of this money funds a position at the KFO (\$40,000) to address public information and communications, the rest is for an Education contract for the public school system (\$69,000).

The TF needs to ask the Trinity program for funding support or cost-sharing (separate from this ranking process).

Motion to seek cost-sharing for the Education category from Trinity.

Seconded.

All in favor, passes.

E-1: Educational study of fish requirements and riparian restoration at Kidder Creek Environmental School.

Pierce asked why this couldn't be funded as part of Diane Higgins' proposal, couldn't Gary Warner be one of the mentor teachers?

A: County schools do not equally compare to Environmental Camps for that type of thing. This program has a low set-up cost and would be in place serving hundreds of students for many years to come.

[Iverson clarified that the FY89 funding for education is underway, FY90 is about to be advertised, now we are deciding on FY91.]

E-5: Produce video: "Yurok Fisheries, Rights and Responsibilities".

(Pierce): NCIDC has a partnership with a professional producer, that's why the price is low.

Q: (Franklin): Why not have a video on all indian fisheries?

A: The most controversy and the most misunderstanding is about the Yurok fishery on the Klamath River. The Task Force would have an opportunity to view this before it goes out. The general public could use this at KFMC meetings or for special interest groups (sportfishing, campgrounds etc). There is a big void in information about indian fishing.

Q: (Noble): What is it that you want to portray?

A: (Pierce): This will be a quiet, review of facts.

(Downie): If miners want to educate people on the benefit of mining then they should fund it. Philosophically, it is hard to differentiate between user groups.

(Pierce): Tribal interests cannot be considered a special interest group.

Craig Tuss wants to see many interests involved.

(Pierce): If the TWG/TF wants to see a video on all interest groups, then a revision could be considered.

E-6: Produce a brochure: "Indian Fishing on the Klamath River".

A sample brochure was shown to TWG members. This type of brochure could be distributed at schools, Chambers of Commerce, etc.

E-4: Portable information display for Klamath Fishery Restoration Program.

Discussed additional cost of \$2,500 for additional copies of the display.

Downie likes the product, but doesn't like the extra costs. The TWG decided to make the rating on the original product.

E-2: Implement education program for Del Norte County.

The TWG felt that this would duplicate the efforts already underway by the Klamath Field Office.

E-7: Interpretive signing throughout the Klamath River basin.

Many TWG members commented that this proposal is a good idea, but it is too costly. Interpretive signing is an idea that should be pursued. Pierce suggested that each restoration project include signing.

(Whitehouse): Landscape architects at the Klamath National Forest feel that the cost estimate is low, it costs a fair penny to install good quality, vandal resistant signs.

E-8: Public Information Program.

Why is this being ranked? The TWG didn't feel that this should be up for grabs because it is something the TF funded as a continuing program. It has been disclosed because it is part of the overall program. The Public Information Program could be exempted, maybe it should have been incorporated into PA-3. (Continuation of a Task Force approved program, see TF notes 3/89 Task 3.2)

Sandy Noble moves that we abstain from ranking this proposal.

DISCUSSION FOR THE FISH PROTECTION CATEGORY.

FP-1: Monitoring chinook harvest at Ishi Pishi Falls.

(Noble): Let's break down what year funds are for.

(Iverson): We could obligate entire funding on Federal side.

(West): Real expensive for amount of work to be done. Impact on spring chinook is very low.

(Tuss): We need documented monitoring information on impact to spring chinook in order to aid in endangered species listing.

Q: What's your idea of the costs?

(Tuss): I've got to trust information from site biologists.

(Hart): Cost effectiveness should not be considered exclusively.

FP-2: Electric weir on Hunter Creek

Concerns expressed by TWG members:

- o Liability and responsibility of monitoring unclear.
- o Background information provided in proposal was questioned, not specific concerning "fish being captured..." Species and run should be identified.
- o Location of site may be too close to local school.

(Pierce): Fall chinook are captured and raised at site. Alaska weir was funded last year, rain inhibited collection of 3 year olds. Weir was replaced and providing limited trapping ability. This proposal will allow for better trapping ability.

Q: Is this the best site for potential trapping?

A: Total program centered on endemic late run fall Chinook, objective is to build stock of this strain.

Q: Nothing else will work for trap?

A: This will be the best.

Q: Is stream site appropriate for this type of construction?

A: We've had cages installed, things seemed to be OK.

(Noble): I don't agree, we've seen dynamic changes after recent storms. Maybe this isn't the best location. The bottom substrate needs some stability. Also, the conductivity may cause a problem, success is dependent on this.

(Pierce): I'm aware of the problems, also flow rates etc. that affect this. If the TWG were to approve project and project became too difficult and non operational, the money would be returned.

Q: Is capturing broodstock the main purpose or monitoring run?

A: Major emphasis is on monitoring. We've seen 50 fish in the first year of monitoring.

FP-8: Spawner utilization Salmon, Scott and Klamath Rivers.

Rated, no discussion

FP-7: Evaluate adult and juvenile habitat utilization Red Cap, Camp and Bluff Creek.

Q: This is ongoing, right?

A: Don't know, 6 Rivers project. Most work has been variety of CDFG funding and grad students.

(Downie): There's been alot of habitat utilization work, there are 3 years of data present. These are highly modified systems.

FP-4: Estimate Chinook stock status and potential for enhancement, Blue Creek

Concerns expressed by TWG members:

- o Excessive handling stress on fish during information gathering process.
- o Shuffling of genetic stocks between watersheds may cause problems.

Q: Is any of this cost already funded?

A: No, this is scheduled for next 3 years, budget is for total program.

(Iverson): This was approved by task force last year, '89, but still available for technical comment.

(Tuss): Original '89 proposal identified 4 years for study, has been amended. We've revised program.

Q: Can you clarify project about egg taking and genetics?

A: Blue Creek is unique on lower river, stock are unique. We want to provide information about the creek before anyone begins using fish stock as brood supply. Blue Creek has not at present been identified as a source.

Q: Is it accepted practice to shuffle genetic stocks from watershed to watershed?

A: You need information such as this proposed study to make the decision. If fish are different, we need information to determine if fish use different habitats for spawning and rearing, etc.

(Noble): Some of this has been done. We're gathering information gathered recently with some older data in order to monitor over long range.

Q: What's land ownership pattern and is FAO Arcata making a funding contribution?

A: Simpson owns land. No, Arcata FAO isn't contributing.

FP-5: Monitor juvenile salmonid emigration, Klamath River at Big Bar.

Q: Will traps hold up in fall runoff?

A: We're not sure. This is cost shared by USFWS.

Q: Is this to see if it will work? What happens then?

Discussion ensues on data uses and gathering techniques.

FP-6: Estimate juvenile fish standing crop and outmigration, estuary Klamath River.

(Tuss): There's \$5,000 contribution by USFWS.

Q: If this weren't funded would some work continue? A: Yes.

Q: Is monitoring of juveniles an end product, or will there be other objectives met?

A: (No answer given).

Q: Is there interplay between this and other monitoring projects?

A: Yes.

FP-3: Estimate spawning and juvenile production in lower tributaries

Concerns expressed by TWG members:

- o Overkill on monitoring on small streams. A broader view may be more reasonable. Trapping all streams is not necessary.

Q: Is this a continuing project?

A: It's continuing into fall because we don't know when fish are leaving system in outmigration.

Q: Objective #2..., will estimate be based on trapping data? How can you estimate production?

A: Data will not give an absolute number, but relative production compared to other streams in basin. A decision could be made concerning restoration dollars spent.

Q: Sample base seems inconsistent. Data may not be good. Are we buying poor data?

A: We're trying to address these concerns.

(Noble): This is cost effective compared to other streams.

(Tuss): Agrees. Other agencies are spending more dollars.

Q: Is trapping going to occur in all 24 streams?

A: Streams will be trapped that have moderate to high potential for production.

(Pierce): All lower tribs haven't been studied because of land ownership problems.

DISCUSSION FOR FISH RESTORATION CATEGORY.

FR/005B: Rearing chinook fry for transfer.

(Downie): Salmon stamp funded this one last year...shouldn't be here.

(Bird): There is a contract on this project already, but it has to be approved in this process to be considered as matching funds.

May rank even though funding is present.

Q: Are fish from Little North Fork Salmon River?

A: Fish collected elsewhere, but will be reared there. They are from the Salmon River stock, not necessarily from Little North Fork. This is a natal rearing project.

FR3: Tagging pond reared chinook.

Concerns expressed by TWG members:

- o Movement of Iron Gate fish into foreign system, superimposition problems could result.
- o Much disagreement exists about inter-basin transfer policy. Fish health issues (not genetics) drive policy.

(Bird): FR-3 has been done in past, there is no CDFG money to sustain the effort.

FR/140-A: Cold Creek steelhead rescue, Eagle Ranch.

Q: Hasn't this been dealt with last year?

Q: Has anyone addressed the actual problem?

Q: Has this group raised fish before? A: No.

(Bird): This is a rescued fish rearing project.

(Hart): The RCD Fall Creek hatchery raises fish at \$.24 per fish, this proposal cost is expensive per fish.

(Bird): Much of the cost involved was supported by the CDFG. This program is not funded separately.

FR/140-B: Operate rescued steelhead rearing facility.

No discussion.

FR/164: Monitor subterranean water flow and quality, Empire Creek, H & I.

(Bird): This project was rejected by our region, I will abstain from voting on this proposal. We didn't see a product.

FR/166: Construction of rearing ponds, KRPLDF.

(Bird): We rejected this as well as #165.

FR/117: Operate rearing ponds for yearling chinook Red Creek, Camp Creek etc.

Q: Is there a sunset date on this proposal?

A: None, this wasn't initiated. CDFG is developing a management plan for each rearing program. Emphasis is put on restoration efforts using these programs. Some design is necessary concerning duration of project.

FR-1: Late run fall chinook accelerated program, NCIDC.

Q: Aren't these fish caught in mainstem, how do you know that these fish are late run fish and are not destined for other parts of Klamath River?

A: Timing of run, adipose clips, genetic tests etc. The run is definitely distinct from other runs.

Q: So you're trapping Blue Creek fish?

A: Yes, some.

Q: There still could be hatchery fish mixed in. How many adipose clips have been found in the collection? And where do these fish go?

A: We don't spawn anything with an adipose clip. If we net a clipped fish we cease and desist netting.

(Franklin): There is a limit to sampling ability.

(Pierce): Agrees. Opportunities and brood stock are limited. This is a very expensive program because of extremely low population numbers. Idea is to perpetuate genetics of late run stock. Increased cost effectiveness is our objective in future, this is not a production program.

Q: FR-1 and FR-2 are connected, right? A: Yes.

(Robinson): This is why we're supportive of Blue Creek work.

(West): I'm supportive of work, but have a hang-up on the people doing the work. A task force member is proposed to do the work.

(Pierce): We're limited in people with appropriate skills willing to do project.

Q: Are there no other alternatives to getting eggs?

A: Yes, but limited.

(Tuss): I would like this proposal a lot better if documentation were provided about production in the past.

FR/170: Scott River rearing facility, Orleans Rod & Gun.

Comment: They have a long history of raising fish.

FR/061: Shackleford Creek fish rescue and rearing, Ouzel Enterprises.

Concerns expressed by TWG members:

- o Release location should be at rearing sites, supersaturation of "rescue" fish in Scott River cited for concern.

(Bird): The release location is a determination within the decision making system in CDFG. This is addressed in the contract.

Q: Should we make a group statement?

(West): These policy recommendations are being made already. Not sure of numbers, slight discrepancy.

FR/002: Rear fall chinook, Salmon River, Robert Will.

Already funded, but needs to be rated.

(Bird): This is the second stage of the rearing project.

(Downie): These ponds were built by CDFG, and have not been used.

FR/003: Rearing excess Iron Gate Fall Chinook, Shasta RCD.

Concerns expressed by TWG members:

- o Hatchery fish being raised could cause genetic and superimposition problems later.
- o Objective of Klamath Act is to build up natural stocks.

(Waldvogel): We need to provide more fish to all user groups.

(West): The catch equation is driven by natural production.

Q: What happens in river when "excess" fish are released?

(Downie): These are not really "excess" fish. They are better quality than the fish coming from Iron Gate. Iron Gate is concerned with quantity vs. quality.

(Noble): We still shouldn't enhance hatchery stocks with this money.

(Bird): CDFG is putting funds into this project.

FR/163: Construct ponds and monitor water quality in Big Humbug Creek.

General Consensus to rate low.

DISCUSSION FOR HABITAT PROTECTION CATEGORY.

HP-1: Provide remote sensing, Basin Wide.

Concerns expressed by TWG members:

- o Specific objectives and products of proposal unclear.
- o Too "large" a picture, not site specific.

(Waldvogel): His presentation gives broad overview, but can be more detailed when special request is made.

Q: Hasn't this type of project been done?

A: Not this way.

(Noble): We need a little more technicality.

(Waldvogel): Satellite imagery might possibly show mass wasting potential, etc. Interpretation of photos would have to be standardized.

(Franklin): All other data can be used in cross reference with this data.

HP/172: Monitoring water quality on Klamath River.

Q: This is a lot of money, but a lot of work. Do we need to study at this intensity for one year?

A: One sample season won't provide adequate data. Too hit and miss.

Q: Aren't there other people doing this?

A: No. There are specific projects on water tests, but not on a whole.

(Noble): Nitrates and Nitrites are difficult tests and procedures, not to be done in a tailgate laboratory.

(West): Those tests will be sent off. I trust his expertise. Do we need to get to this level of resolution? There are obvious problems, maybe timing is wrong.

(Franklin): We're unanimous about this need, but maybe shouldn't make a decision on this type of work at this point.

(West): Maybe we can get this work done for free by EPA.

(Waldvogel): The Klamath River is in the EPA's top 5 list to get work done.

(Iverson): The function of this committee can be to recommend work needed and the government can take the idea and get contracts for work.

(Bird): This could cause problems by plagiarizing others ideas, then making them bid on their own proposal.

(Pierce): An alternative would be to negotiate with proponents about price.

HP/173: Survey stream and riparian habitat on Shasta River.

Concerns expressed by TWG members:

- o Should get permission to do work from landowners before beginning work or funding proposal.
- o Objectives would be difficult to achieve.
- o May be in conflict with proposal #HP-4.
- o A bigger effort than necessary at present time.

(West): Riparian zone set aside may be a better alternative.

(Bird): Other projects similar to this have been rejected by CDFG.

Q: Is this putting a prior condition based on land owner permission to access the project site first?

A: There's nothing wrong with that.

(Bird): It's our procedure to make sure that permission be given to project workers, if it can't be achieved, then the project stops.

HP-3: Estimate spawning and rearing habitat, spring chinook and steelhead on Salmon River.

(West): This is a project that's been on the shelf and had money for 3 years, if not funded, it will continue but with more difficulty. The real need is for future funding in '92, '93, '94. There are a lot of things that can go wrong with the project.

HP-2: Evaluation of suction dredging, Elk Creek

Concerns expressed by TWG members:

- o A control is needed for comparison of results, sediment transport data is meaningless without it.
- o Possible duplication of effort and limited study area.
- o Cost is high, and no contributing funds are presented.
- o Survival of chinook runs in early winter may be in jeopardy.

(West): We are already making a recommendation regarding this type of work.

(Iverson): We asked for proposals to monitor effects of large suction mining because this is an area where information is needed, based on the draft plan. The proponents contacted us with questions and we supplied information to them for this type of proposal.

HP-4: Survey stream habitat types, Shasta River.

This was touched on in an earlier project.

(West): The cost seems excessive. The larger the stream, the easier it is to survey.

HP-5: Monitor water quality on Shasta River.

(Franklin): This was funded in FY-90.

Q: Did he want to have one full year of samples in one year.

A: They have money to do a full year of sampling, but may overlap next spring.

Discussion regarding sampling cycle, when to start, any differences in methodology and results.

(Iverson): DWR, CDFG hope that Klamath River Restoration Project continues to fund because of matching funds available. Are two years of data better than one year?

A: Yes, results can be impacted by a high or low water year.

HP-6: Scott River valley habitat productivity survey.

Concerns expressed by TWG members:

- o Makes no sense to look at small details when gross problems exist.
- o Cost is excessive.
- o Overlap of work with other projects.
- o Cost per mile is subjective.

(Iverson): We would have to have specific terms with numbers of miles to be surveyed, a contract wouldn't be given with open ended condition such as this.

Q: Is there any documented data indicating substrate types and changes?

A: Some data exists, and methods exist. These could be provided.

HP-10: Inventory riparian zone, Scott River.

Q: If funded, are there biologists ready to do the work?

(Bryan): Yes, but this proposal doesn't require that type of work. This is an information gathering proposal, a guide to list riparian zone condition and types for 30 miles of stream.

(Iverson): DWR says that there is no current land use information in this area now.

(Noble): Maybe the project will provide useful data to interpretive work such that Tricia does. This is how mid-western states got started establishing small landowner refuges.

(Bryan): The present project is being cost shared this year.

Two proposal category changes: (HR-11 and HR-12 have been changed to HP-11 and HP-12)

HP-12: Determine measures to reduce erosion on derelict roads, Salmon River subbasin.

Q: Couldn't there be a matching source of funds?

A: There is.

DISCUSSION ON HABITAT RESTORATION CATEGORY.

HR-15: One year of diversion screen maintenance.

Concerns expressed by TWG members:

- o Task force should not be asked to fund staffing for other agencies.
- o Project may be caused by shortcomings in planning. Task force money is not set up to act as a slush fund.

Q: Is this a continuation of last years project?

A: There's money for only one full time employee.

(Noble): If it were connected to a specific project, I'd have an easier time trying to justify this proposal.

(Iverson): This is a continuation of the project to keep this person on the job for another year. They need the help. There is a technical need for this funding.

(Hart): This is a quick fix item to an ongoing need. The task force needs to pressure the state to come up with money to fund it on the long term.

HR/013: Horse Creek and

HR/014: Bogus Creek cattle exclusion fencing.

(Bryan): Is there any cost sharing with landowner. Fence is extremely expensive in this proposal. Materials and labor costs are too high.

Discussion about committee's responsibility to provide information to proponents regarding costs, proposal format etc. There needs to be some way to guide proposal proponents. There should be a method of relaying information back to proponents to help them write a better proposal.

Q: There is an appeal process scheduled later, right?

A: Yes.

Decision after discussion with Iverson: Proponents will receive the ranked table with a red line on it. They can use this to decide if they need to appeal to the task force at the meeting in late June.

HR/065: Control or prevent erosion of sediment, Pine Creek.

Concerns expressed by TWG members:

- o Not site specific.
- o Proposal may have been written by people not familiar with capabilities of large earth moving equipment. Budget is wrong as a result.
- o Project design insufficient.

(Franklin): We don't know exactly where work needs to be done, there is a project being done presently that will give site specific information. I'm confident that the information will be accurate. If this project doesn't get funding, it will return next year with possibly more site specific info.

(Pierce): If this is delayed, then the project will be delayed for 2 years because of funding and scheduling.

(Noble): Pine Creek is in need of help, but I thought that the Pine Creek project was still in the info. gathering mode.

HR/167: Restoration of Shasta River Weirs.

(Yarbrough): Project was rejected by CDFG region. Because the weirs are essentially intact, work wouldn't benefit anything.

HR-8: Hydraulic evaluation of instream rehabilitation projects, basin wide.

No discussion.

HR-7: Inventory instream rehabilitation projects.

This has been done already.

HR-3: Badger flat spawning channel restoration.

Q: Where are these channels constructed?

A: On an outside bend of the Klamath River.

Q: Has this functioned as a spawning channel before?

A: No one knows.

(West): We have two on the forest that work well.

HR-4: Construct spawning channel on Scott River.

(West): This one's pretty dangerous, it's on the mainstem Scott, which is carrying alot of sediment and granitic sand.

(Bryan): These are subject to flow problems, project may be short lived.

HR-5: Place boulder weirs, Yreka Creek.

(Iverson): The contractors are working now in Yreka Creek.

Q: Is it a wise use of dollars?

(Bryan): If you spend this kind of money, it should be for natural propagation.

(Waldvogel): It seems as though wage rate is high.

(West): Suggests a no vote on project. There's already much spawning habitat, rearing habitat is what is needed.

HR/058: Removal of migration barrier.

Proposal rejected by state.

(West): Maybe we shouldn't remove coarse woody debris. This is not a barrier.

HR/060: Boulder weirs, etc. Indian Creek

(Downie): I don't want to see a maintenance item such as Badger Flat.

HR/028: Wooden weir placement, Lynn Creek.

(Waldvogel): This is a very small creek, very little work done on lower Klamath River at present time, how valuable are they to all of us?

General discussion ensued on how the Redwood National Park should be aware of the creek and any problems, projects, etc. that go on at the site.

HR-1: Prevent mine drainage from entering Indian Creek.

Q: What about compliance with Calif. mining standards?

A: They have to comply.

HR-2: Demonstrate impacts of large suction dredging on Tributaries.

No discussion.

HR/161: Restoration of spawning channel on Big Humbug Creek

Rejected by CDFG region.

No discussion.

HR/109: Shade tree planting to provide coarse woody debris for Beaver Creek.

Concerns expressed by TWG members:

- o Bank scouring may result.
- o Removal of material from riparian zone to provide coarse woody debris may cause additional problems.

Q: How are CCC's used and funded?

A: They're requiring salary payment. The USFS shies away from using them because the value isn't there.

(Franklin): Monitoring of results would be necessary.

(West): We're trying to get away from artificial restoration materials.

(Franklin): The source for the coarse woody debris will be from areas away from the stream.

(Downie): Hinge felling is pretty innovative, but trees would have to be pretty close to stream.

HR-9: Plant shade trees, Beaver Creek.

Q: What's the condition of stream upstream of site location? Is water already heated up before it gets there?

(West): The plan is to work downstream from vegetated area. I'm proposing different types of vegetative management. We're looking to see what it takes to get this done.

HR-13: Reduction of road associated sediment.

(Hart): This doesn't address roads on private property?

(West): It does. It will take in the whole road.

(Franklin): The project begins with determination of sediment source, design of restoration, etc. but I want to be assured that there is adequate time to address the problem to make sure that the attack is effective.

(Downie): There's a problem with spending fish dollars on this with no match from the private sector, and not much from contractor side. Where do you draw the line concerning user pay. Horse Creek is an example that comes to mind.

HR/114: Boulder weir placement, Elk Creek.

HR/115: Boulder weir placement, Elk Creek, r.m. 8.5.

HR/116: Boulder weir placement, Elk Creek, r.m. 4.6.

Q: How much habitat work does the creek need?

(West): An assessment last year showed some needs. The basic need shows dredging, gravel stability, accessible spawning habitat problems. Research results from Oregon were used to get information regarding steelhead. There is very little wood in the system.

Q: Is this due to man induced problems, and not natural?

A: It's typical of many stream systems, even in Humboldt County. The places where you find wood, the riparian zone is buried, there is no recruitment of wood into the area.

HR/110: Removal of migration barrier on Horse Creek.

Q: Is there another way to deal with this problem without spending the money?

A: The CDFG has rejected this, they will require removal of barrier before the run begins.

Q: Will it be removed?

A: A fine will be levied on the builder of the dike if not removed. Unless he gets a 1603 approval.

(West): Our hidden agenda behind this project was to bring awareness to the problem. USFS has no legal ground to deal with this problem. There is a downstream migrant problem because there is no minimum flow requirement. The guy takes 99% of flow, rest of channel dries up.

Q: Does he have the water right?

A: Yes.

HR/111: Remove migration barrier, Nordheimer Creek.

Q: It's chancy but not too expensive. Jack, do you think you could make it worse?

A: No, if anything, it won't work, but not worse. It'll get buried.

(Downie): Concerned with high cost for "rubber tired" equipment.

HR-14: Reduce road associated sediment, O'Neil Creek.

(Franklin): Actually two options in the budget. Ron, Would we need to rate both options?

Iverson: It would be helpful.

Franklin: OK, then how about 14A and 14b. Jack, it is suspected that summer steelhead use the creek? Know anything?

(West): Nothing to make me think that it is being used at present. Let's just rate the higher cost budget.

Q: What's the purpose of the road relocation?

A: This is talking about 2 separate pieces of road, like a spur.

(Franklin): One of the segments lies near private land, suggesting that it is on or being used by private owners.

(West): Maybe the proposal is preliminary depending on this information.

HR/112: Native plants to reseed riparian zones, Salmon River.

Q: Is there a nursery to raise the seedlings?

A: Yes, on that scale. And costs are quite competitive.

HR/113: Placement of cover ledges in pools, Salmon River.

(Franklin): Poaching was mentioned yesterday as a problem. This didn't look like it would alleviate the poaching problem.

(West): An objective is to spread out the use. There is no shortage of pools, but use is lacking because they're barren. Poaching is a problem in this area, we've found evidence.

Q: What gives you the idea that this will spread out the use?

A: I said that it was an innovative, 3,000\$ experiment.

HR-10: Taylor Creek road reconstruction.

(West): We have a hidden agenda and that is to bring the road problem to the task force. If we don't treat known sources of sediment, then are we really doing our job?

(Franklin): This is designed for areas where there is no timber sale money to use for restoration, right?

A: This was used to identify roads that were not built to modern specs., etc. This is a specific problems that is well documented by previous surveys.

Q: Are these proposals proprietary...should we consider them restricted?

A: Yes.

DISCUSSION FOR PROGRAM ADMINISTRATION CATEGORY.

PA-1: Organize a technical library.

No discussion.

PA-2: Reduce conflicts between user groups.

No discussion.

PA-3: Operation of Klamath Field Office.

- o Need to reduce cost... one method: reduce number of meetings.

PA-4: USFWS Regional Office Overhead.

No discussion.

LUNCH

Discussion of how to improve the process next time:

- o We need to educate proposers in how to present proposals... we saw some good ideas that will be rated low because of poor presentation.
- o We need a standard proposal format (response: we had one this year).
- o The work group should recommend better guidelines, training, or whatever is needed to improve the quality of proposals... to get better proposals next year.
- o A better process will help us next year. For this year, we should let unsuccessful proposers know what is wrong with their proposals. Maybe we could provide a list of phone numbers so they could call a local work group member to find out what was lacking in their proposals.
- o Let our chairman do it.
- o Its unfair that some proposers know people on the work group and can get a reading on this discussion, while others don't.

- o Who wants to be put on the spot as an individual, saying why the group didn't like a given proposal? Let the group issue a statement.
- o How does the State express rejection of a proposal? A: Form letter, no specifics.
- o In any case, our rating is not final... the Task Force may choose to approve or disapprove a proposal for reasons other than our group opinion of it.
- o What's needed is not so much an appeals process, but a way to help get good ideas funded -- help them get expressed optimally. Maybe next year we can provide a record of how we feel about each proposal.

Discussion of allocation of funds between work categories:

- o Do we know how much money is to be allotted to each category? I understood that education, for example, is supposed to get a set amount for several years.
A: No, Task Force budget committee will allot.
- o Let the Task Force worry about this.
- o We should be able to advise on this, based on the long-range plan.

Discussion of general features of the annual work plan as just drafted:

- o (Franklin): Let's look for general patterns in our rankings... make sure we are sending the Task Force the message we want to send.
- o Nat Bingham, what are you Task Force members looking for from us?
- o (Bingham): I suggest you don't try to reshuffle rankings at this point. We want your ranked proposed work plan, and any additional commentary you wish to provide about individual proposals.
- o Task Force should know we went through proposals category by category... so we were really comparing proposals within a category.
- o How about our suggesting a cutoff line within each category, based on technical merit. Response: No, the budget committee doesn't want this from us.
- o Bingham, does the Task Force want us to say which work categories we think need most attention, most funding? (Bingham): You can do that, but I think your job is essentially done now.
- o But don't you need some technical guidance on how to spread the money? (Bingham): We're interested in your comments -- but that is not a required task.
- o We can provide this technical guidance on funding to our Task Force member.
- o How about assuming that each category has equal weight... an equal chance at funding? (Response): This may not be so... funding allocation may shift from year to year.... even education is not allotted a fixed amount.

(Franklin): The meeting is adjourned.

Task Force Budget Committee
Eureka, California
14 June 1990

9:20 Budget committee convened by Craig Tuss replacing Bill Shake. George Thackeray and Leaf Hillman not present.

Present: Mitch Farro, Bob Franklin, Nat Bingham, Craig Tuss, Mel Odemar, Scott Downey, Jack West, Del Robinson, Ronnie Pierce, Mike Orcutt, Ron Iverson, Doug Alcorn, Tricia Whitehouse.

Mike Orcutt nominated Bill Shake to serve as chair for the meeting. Odemar seconded. All in favor. (Craig Tuss served in Bill's place).

Objectives and Procedures. (Chair Craig Tuss)

- 1) Establish the work assignments to be done in FY91.
- 2) Allocate the dollars remaining in FY90.
- 3) Develop a basic plan for the Task Force to look at on June 26, 27.

Discussion:

(Bingham): The process to determine the FY 91 Work Plan has gone very smoothly this year. It is inappropriate for this group to move proposals up in ranking -- that will be for the Task Force to do. This group should develop the funding levels for each category.

(Odemar): State funding is "up in the air" right now. Maybe we could develop percentages of funding for each category. Then later we could identify the areas for state or federal funding.

(Iverson): The rating criteria from last year were the basis for this year's rating by the Technical Work Group. The Operating Procedures read that the Task Force was to provide the criteria in advance, but since this was not done, last year's criteria were used.

Report from the Chairman of the TWG.

(Franklin): The list of ranked proposals was distributed to the Budget Committee (Attachment 1). The criteria used to rank these proposals are shown in attachment 5 from the May 10 mailing. Franklin reported that there was discussion among TWG members on socio-economic concerns and why they weren't included in this year's criteria. Franklin recounted the reasons for the work group leaving this issue to the Task Force:

1. It is a political, not a technical issue.
2. It is hard to judge the extent to which a proposal will employ the target groups named in the Klamath Act, because they are vaguely defined.

Franklin clarified some aspects of the decisions made by the TWG:

- 1) Proposals should come in that bring more money to the program. For this reason, cost-sharing was an important part of the ranking process.
- 2) Road quality is important for erosion prevention. The actual rankings may not reflect the general enthusiasm by the TWG for these projects because of other problems with the proposals.
- 3) TWG members were concerned about the idea of "hiring staff".

4) Some proposals did not rate highly because of specific aspects of the proposal, not because the idea was not good. For example: HP-1 did not rank highly, but this does not reflect disinterest in remote sensing altogether. Another example is the water quality monitoring proposal by Great Northern (HP/172). The idea is important, but there was a feeling that other agencies might already have this data. The TWG would like the TF to encourage the EPA to access this information.

5) The TWG felt that they have direction from the TF to produce a single restoration program work plan. The TWG wants to see a coordinated system throughout the basin, and throughout the user groups.

6) There were approximately 15 people representing 25 proposals at the TWG meeting... not including the representatives from government agencies or tribes.

Orcutt asked about cost-sharing and how this was determined (referring to in-kind contributions by CDFG).

Franklin responded that they looked at the proposals that were on the table and evaluated them for cost-sharing. Example, the riparian fencing proposal did not include shared costs by the rancher, and should have because the TWG felt that it also benefited the rancher. For this reason this proposal ranked low, even though it was an idea that the TWG supports.

Discussion on the process for state funding.

Odemar stated that decisions have been made on funding for the Salmon Stamp program, but no other programs. CDFG statements about a proposal being funded, or not funded, were not taken as a veto for proposals.

Comments made to the Budget Committee from the TWG.

- o Category names are correlated with the categories in the draft long-range plan.
- o (Tuss): This year's process was much smoother, got down to business more quickly, and the bugs have been worked out since last year. The recommendations that the TWG discussed yesterday should be discussed with the Task Force.
- o (Bingham): Many proposals had merit but there were certain features (cost sharing, specifics) that needed work for better rankings. The TWG wanted to set up some type of feedback system to let proponents know what they could improve on for next year.
- o (Odemar): To what extent did the committee look at the responsibility of the USFS for fixing roads ?
(Franklin): Roads are a big problem. The TF needs to send a loud message to whoever has poor condition roads to get them fixed.
- o (Downie): "You broke it, you fix it" is a viable option, but meanwhile the 1603 process needs to be encouraged. Fish dollars could be the catalyst to get money matched. For example, the Warden at Horse Ck needs to be out there full time to enforce the rules that protect fish from illegal diversions.
- o (Farro): Expressed his gratitude for the TWG working hard, doing homework etc to make this year's process run more smoothly. Tuss seconds.

Federal funding for FY91:

One million dollars available. Additional funding (72,000) left-over from FY90 needs to be obligated. One option is that our Regional Office (RO) could soak this up, then give us an IOU from FY91 RO overhead.

Discussion:

- o Hillman responded that he may not feel comfortable with this because of the way the RO has changed what they said that they were going to do in the past.
- o These FY90 dollars could be accessed for projects such as the Karuk fishery monitoring proposal, especially because the money would be available to be used when the fish start to run.
- o Tuss said that if we could obligate this money through an existing cooperative agreement then it would be better and faster than having to go competitively.
- o The basic \$1 million of federal funding is supposedly "no-year" money, but some glitch at FWS has made it be one-year money.
- o Every project that is a continuation, or a several year project, is on the table for re-consideration and ranking today. Later today, we may decide on giving these projects special consideration because of their special status.

State funding for FY91:

(Odemar): No guarantees at this point, state has \$3.6 million deficit right now, they have \$500,000 set aside for Klamath Restoration Program funds, but they don't know how committed this is. The match needs to be met over a 20 year period, as the year's go on they need to come up with \$50 million (between the Trinity and the Klamath). The passage of 117 has put an additional strain on their dollars (30 year program).

Bingham spoke with Zeke Grader PCFFA, at the current stage of activities in the state political process, the anadromous funds look like they are still available. Iverson stated that the state projects could claim the 26% overhead as in-kind contribution to make things more equitable.

The Budget Committee saw no need to have TWG people remain present for questions after this point in the meeting.

Development of rationale for apportioning funds among work categories.

Do we need to develop a rationale for spending FY90 funds before deciding on what to do with next year's funds? No, we should develop one work plan for FY91 and once its developed, use its guidance to spend some of the FY90 left-overs.

Discussion regarding socio-economic and species priority criteria.

One major element that is missing from last year is the socio-economic criteria. Should the Budget Committee look at this now? Even though one of the three groups addressed is nebulous, the act still states that these socio-economic issues need to be considered.

- 1) We could go through the proposals and decide how to assign bonus points.

- 2) We could accept the recommendations of the TWG and distribute the funds in the different categories (Farrow felt uncomfortable about reshuffling this ranked list, because he feels that is not the role of the Budget Committee)
- 3) We could flag items such as species priority and socio-economic factors (Bingham felt that the TWG worked hard to get through all 85 of these proposals in two days, we shouldn't revisit all of those in one day, it would be better to lump the dollars into categories).

We need better guidance from the Task Force on the role of the Budget Committee and TWG. The Task Force needs to clarify:

- o The draft-plan has policies on the role of these groups...?
- o Do we go with the technical merit on all of these, because the species priorities have been thoroughly developed?
- o Identify who the affected groups are, so that when this issue comes up before the TF it is clarified.

Hillman stated that his intent was not to undo 2 days work by the TWG. Suggested that this group should write a letter to the TF letting them know that the TWG used a process this year that did not adequately address all issues that were considered in the past.

These issues should be on the agenda for the next Task Force meeting.

Tuss and Bingham stated that they had audited the TWG meeting in order to see the process.

Development of rationale for apportioning funds among work categories (cont.)

Methods were discussed.

- A. (Bingham): Let's have a discussion on category spendings, then everyone can fill in their sheets with their ideas, then hand it in to the KFO support staff, to determine where lines could be drawn. Then we would be at a good point for discussion.
- B. Let's figure out the fixed cost first, based on \$1.5 million.
- C. The first cut should be based on technical merit.
- D. Budget committee members should put a dot on their copy of the rated proposal list (provided from the Technical Work Group) next to the last proposal that they feel should be funded. KFO staff will compile the dots on graphics of the dBase table on the wall. We will draw the first preliminary line at the first group of dots.

Based on this last method the preliminary line was drawn in each category of the rated proposals after:

Proposal E-6 for Education.
FP-1 for Fish Protection.
FR/117 for Fish Restoration.
PA-3 for Program Administration.
HP-11 for Habitat Protection.
HR-10 for Habitat Restoration.

This totals \$1,568,404.

DISCUSSION OF THE EDUCATION CATEGORY:

- o Odemar felt that there may be a duplication of effort in this category.
- o Pierce explained that E-3 is a mentor teacher program to implement curriculum in the schools. (Iverson clarified that this proposal would not be funded sole-source to proposer Dianne Higgins, because the federal process requires that it is run competitively.)
- o Bingham recounted that the TF has decided that there will be a long-term commitment to funding for an Education program. The Education Program will be the biggest bang for the buck, and these educational efforts will do more for the restoration program than anything else. The next generation will be more aware of the issues than ever before, and hopefully avoid making the same mistakes that have led to the current problems.
- o Hillman doesn't want to have the Education Program unconglomerated and disorganized. He feels like he is buying something he hasn't seen. Everything he knows is second hand. Hasn't seen anything first-hand, feels uncomfortable about that.
- o Odemar recounted that his dot is off the board because of his questions with proposal E-3. He did not want the KFO proposal E-8 to be off the board, just that it fell below E-3.
- o Orcutt feels that he supports education for the kids.
- o Question how much effort is being spent on the Trinity side, Klamath dollars should not be spent there.
- o Hillman feels that there needs to be a real consolidation of all the different interests addressing this same issue.
- o Tuss feels that there needs to be more cohesiveness between school education and public education. Pierce replied that in reference to the original 5 year plan that she wrote, there would be cohesiveness between the educational program developed for the public and the educational program developed for the schools.

No one on the Budget Committee was dissatisfied with the location of the initial cut-off line.

Lunch break.

Reconvene.

Iverson announced upcoming meetings to budget committee.

Discussion about restoration plan, mailing schedule, distribution of plan.

Concerns expressed by budget subcommittee (BSC) members:

- o Inflation of Program Administration (PA) projected expenditures from \$300k to over \$400k.
- o Add-on funding for PA has not materialized.
- o Task Force will be criticized if PA expenses continue to escalate.
- o Klamath Management Council expenses should be presented as a line item appropriation.
- o Inclusion of 1/4 of Tricia Whitehouse's salary in proposal PA-3 may be duplication of money requested in proposal E-8.

DISCUSSION OF THE PROGRAM ADMINISTRATION (PA) CATEGORY (centered around the escalation of expenses from past years).

Iverson stated that the high PA budget resulted from \$80k being charged against the budget for Regional Office overhead, a new biologist position, implementation of the policies set forth in the restoration plan, rent and moving expenses of the Klamath Field Office (KFO) and meetings support by the KFO staff. Iverson stated that, because of the "overwhelming metabolism" of the Council, one person cannot accomplish all that has to be done to support them, therefore 1/4 of Tricia Whitehouse's time is charged against this activity. He also stated that we should not be embarrassed by the budget.

Q: Does this money (PA) come from the original \$20,000,000 appropriation?

A: Yes, although there is some chance of a Congressional add-on to the \$1,000,000 funding level for FY91. Not to be taken from the overall \$20 million.

(Iverson): I don't think that the USFWS can ask Congress for the administration money, but the request may be channeled through other groups.

(Tuss): The USFWS feels that we cannot ask for more money than what we've originally asked for. We have to wrestle with that internally.

Q: If we draw the line at the PA-3 proposal, can we hope to get money from another source?

(Tuss): The word I get is that there will be an effort to get it elsewhere. I think Bill Shake wants to have a discussion with the task force to present his ideas about this.

Q: Ron, is it possible to get a break-down of specific tasks of staff?

A: It's possible, but we would need a specific request from the task force.

(Tuss): Council travel, administrative overhead, implementation of program for public information, office operation, personnel salaries, rent, supplies, equipment.

...and Task force travel.

(Bingham): A fair question for the council would be that we address a comment to the task force to inform them that we feel that maybe the harvest allocation process is not that productive, maybe we could meet less, become more efficient and save money.

(Iverson): Nobody here can direct that.

Discussion regarding the positions of the categories and respective red line positions:

Tuss remarked that there was apparent cohesion of the red line positions within each category and that they "meshed well". He asked for discussion.

(Farro): There doesn't appear to be a distinction between the fish restoration and habitat restoration. The Fish protection items seem to be information gathering proposals and this is as though it is a non-homogeneous mix.

(Bingham): I think that these categories divide the restoration and the protection proposals, but the category titles may be wrong.

(Odemar): Maybe we could rename them. Substitute management for "protection" in the categories as a suggestion. This could be addressed when we study the plan at a later date.

(Tuss): Next year when the long range plan is in place, maybe we won't have this problem.

Consensus to discuss red line positioning by category.

(Tuss): Have we come up with a consensus regarding Education and Program Administration? No objection to drawing the line below proposal E-6?
(None)

(Farro): We should concentrate on the proposals that rated higher and were more technically sound. Selections should be made on technical merit.

(Tuss): We need to spend the money because it's not a rollover account.

(Bingham): I think that we cannot attach absolute value to the ratings by category. The technical work group agreed that we cannot compare values between categories. Right Ronnie?

(Ronnie Pierce): Right. People in the TWG wanted that specified and understood.

(Tuss): Some proposals were ranked low because of funding limitations for specific proposal types. The line will stay drawn below PA-3.

DISCUSSION ON FISH PROTECTION CATEGORY.

Concerns expressed by BSC members:

- o Validity of matching funds by USFS is questionable.
- o Tribal "638" money could be counted as matching funds as well.
- o Overlap of data on the instream harvest by the Karuk tribe and CDFG may exist.
- o The USFS may not be appropriate agency to do escapement monitoring (FP-8), CDFG or USFWS suggested.
- o The funding of a proposal seems to be dependent on presentation of that proposal by a "narrow list of proponents"

General discussion by BSC members:

Agreed that proposal FP-1: "Ishi-Pishi Falls Monitoring" should be funded with FY-90 funds to get the study going before the runs begin this Fall. Funding in '90 would allow assessment of project in '91. Iverson mentioned that funding the entire project (\$41,801) could be appropriated in one year but work could continue on.

Problems exist in the Hunter Creek electric weir monitoring proposal, primarily with position of weir, gravel substrate, control and evaluation of project. A closer look at this proposal is warranted at a later date.

Discussion centered on the USFS proposals and respective matching funds identification.

(Odemar): I understand that the "matching fund" for proposal FP-8 is an existing computer program.

(Tuss): I don't see that as being different as the state's "in kind services" contributions.

(Hillman): The same argument can be used with tribal 638 money involvement in any of these proposals. The spawning monitoring proposal could just as easily be submitted by the tribe and have the fisheries work presented as cost sharing, but I don't think that it would be viewed the same.

(Odemar): It's required that non-federal sources meet at least 50% matching funds. So the Department shows a 50% match on everything that will be done in the 20 year program. We've dealt with the problem of "what is the USFS role?" in this program for quite awhile. This goes against policy that has been in place for a long time, their role is habitat protection. I'd like to know the nature of what the \$61,000 match is (I was told it was computer support).

(Iverson): Mostly labor.

Q: Are you aware if the Department has the capability to do the work?

(Odemar): We'd have to have increased staff to do the work, maybe not for \$73k.

Discussion of proposal FP-1: Harvest Monitoring at Ishi-Pishi Falls.

(Iverson): We can obligate the whole \$41,801 for the project, the work can extend beyond the fiscal year of obligation. We can obligate the full dollar amount all at once.

(Iverson): In our Request for Proposals, we didn't say that fish population monitoring proposals -- like FP-8 -- would only be accepted from fishery agencies. If that is the position of the budget subcommittee, it should be in the record for discussion.

(Bingham): I wanted to be sure to get FP-1, but had some philosophical problems with FP-8. I didn't exclude the proposal because of who submitted the proposal or who collected the data.

(Iverson): I stand corrected.

DISCUSSION OF FISH RESTORATION CATEGORY.

Vote abstentions caused discrepancy in red line position.

Concerns expressed by BSC members:

- o Members felt uncomfortable with many of the proposals and prior funding decisions, reason for abstention.
- o Fish rescue proposals are "band-aid" approaches to much larger problems existing in the watershed.

Comments concerning the fish rescue proposals:

(Tuss): The bandaid approach needs to be discussed at a later date. The only way I see us getting rid of these problems is to get the long range plan in hand.

(Tuss): Should we draw the line where it is, but question the two rescue proposals?

(Odemar): This is where things get sticky, the CDFG sometimes has to say that "We won't fund these...", maybe the USFWS can fund them.

(Tuss): Consensus with a question mark on FR/117.

DISCUSSION OF HABITAT PROTECTION CATEGORY.

Concerns expressed by BSC members:

- o The task force should not be expected to fund repair work on other agencies mistakes.
- o The task force should request that the USFS allow funding for repair work, independent of revenue generated from timber sales.
- o Iverson suggested that the objectives of the budget subcommittee were becoming more difficult to achieve because of favoritism of specific proposals. The committee was undermining the efforts of the Technical Work Group.
- o Objectives and methods to achieve objectives were confusing.

Q: Are we presenting this as consensus back to the task force?

(Tuss): If we don't speak up now, I'm assuming that this is somewhat final. We do have an asterisk to discuss the fish rescue proposals with the task force later.

(Odemar): Some in the Department are set on rescue proposals, some others view them less favorably.

Discussion of proposal #HP-11:

(Odemar): We have to determine whether we are funding other agencies mistakes. HP-11, 8 and 9... How do they relate to the USFS and what are they doing about the problems. How are they using their money?

(Hillman): To hit on HP-11, it's not much money, the matching funds are good, but I know a little about this project, recently the USFS was doing an environmental analysis in the area because of an upcoming timber sale, the butler compartment (a new sale), the greatest outcry by the public in the scoping session, the Monte Creek landslide is a major contributor of sediment in the area. The USFS's lack of maintenance the first time caused the public to want them to fix damage that they caused the first time. The response at the scoping session was similar to what was discussed yesterday, there is no money to work on the project, excluding the money generated from a new timber sale. (Farro): This is something that should be taken up at the task force level. The task force should address the USFS about the fixing of these things without our allocation. They can't use their funds to only get the wood out, they must reinvest money to fix problems. We shouldn't spend our money on projects that are too large without some matching money.

(Hillman): They are in the midst of an environmental impact study, they are required to do the very thing that they are asking us to fund. I don't want us to be used in this way.

(Orcutt): We're a timber harvesting tribe, the issue of fixing things such as Pine Cr., will have to be wrestled with. Who will ultimately be responsible for watershed restoration?

(Odemar): Are you placing this in the same light that we are dealing with the USFS,... such as "if you break it, you fix it?"

(Orcutt): That issue will have to be addressed by the task force.

(Tuss): Comment on HP-8, our office is involved at the invitation of the USFS, in their harvest plan, they must evaluate harvest practices in the streams that is going on at present. They have a 10 year planned effort to

determine if so much impact on the fishery was attributed to a specific part of the timber harvest practices. I can't fully support this program. Who should foot the bill? They want to study what happens when you manipulate the habitat and the basin.

(Pierce): I prefer that the remote sensing proposal be not dropped completely from everyone's minds.

Discussion regarding budget subcommittee's procedure:

(Iverson): I would observe that the package that you are working for is becoming more difficult to achieve as you diverge from what the technical work group achieved yesterday. The bottom lines you are all drawing are controversial. In the fish protection category you've dropped a proposal that had a 70% endorsement (the spawning utilization proposal)....I'm just adding this to bring it to your attention.

(Bingham): Our main job is to draw lines and stay within the budget, that's our job. The task force is the policy maker, they can grab proposals and add them back in later at their discretion.

(Tuss): I think that we can hand the task force a slimmed down list, then they can put things back in... maybe I'm confused about our objectives in this meeting.

(Iverson): I'm just bringing to notice the controversy that is apparent... in the decision making.

(Tuss): I see that most of the people are willing to support those proposals that we've discussed here.

RESUME DISCUSSION ON HABITAT PROTECTION CATEGORY:

(Farro): There's a pretty distinct break point in this category, there are other categories that maybe the technical work group had more discrepancy in the technical evaluation.

(Hillman): Speaking of HP-9, some of the matching funds were already in place because of mandates required in the forest management plans, this is no way to decide on this particular proposal

(Bingham): Leaf's right, they're mandated to do the work anyway, but we're only asked to put up about 1/3 of the cost... so I'm willing to go with this.

(Farro): The Salmon River is very important in the Klamath River system, I feel strongly about supporting and protecting this river.

(Hillman): I feel as strongly, but I'm all for taking a good look and cleaning up that river system... and sediment plays a major role in many of these proposals, but I see a fundamental need for this group to send a message to the task force regarding this issue. I'm very concerned with this trend of the USFS "pulling the wool over people's eyes", I think that the USFS plays a legitimate role here, but it appears that there is a serious problem.

(Tuss): The consensus is to go with HP-9 as the bottom line.

DISCUSSION OF HABITAT RESTORATION CATEGORY:

Concerns expressed by BSC members:

- o Band-aid approach is inadequate, not consistent with long term restoration goals.
- o Restoration proposals are expensive, some experimental.
- o Progress reports on previously funded projects should be submitted to each task force member so that objective rating of current proposals can occur.
- o The task force's commitment to habitat restoration may not have been reflected in the TWG's rating because of the new membership in the TWG.

General discussion of BSC members positioning their respective red lines:

(Odemar): Didn't like band-aid approach, drew his line to include HR-15. Also didn't feel that he could make a decision on the \$3k experimental proposal (HR/113) without an evaluation of this technique. He also recommended funding the Pine Creek restoration proposal (HR/065) because of prior work and funding.

(Tuss): Didn't approve of having the task force fund road improvement and didn't "buy" the proposal to install coarse woody debris for overwintering habitat, drew his line to include proposal HR/114.

(Farro): Drew his line to include HR/109, thought that \$100 per rock for instream structures was too expensive, but felt that this type of work works well sometimes.

(Bingham): Drew line to include HR-10 because he felt that the work is important, but shares similar concerns with others. He stated that a policy decision regarding funding of projects that repair someone else's damage should be made at a later date. He added that the proponents stressed the need for immediate funding because of the large potential for disaster in Pine Creek.

(Hillman): Felt uneasy about some of the proposals, drew his line to include HR/114, but wanted to exclude the \$3k experimental proposal.

(Orcutt): Stated that he drew his line low, to include HR/013, because band-aids are not the answer to large problems of watershed degradation. He stated that the timber harvest problems that exist are management problems.

(Tuss): HR-9 might one day provide naturally what proposal HR/109 hopes to achieve.

(Farro): For the record, progress reports on previous work needs to be presented for objectivity in these meetings. We need more feedback on the proposals, maybe reports on each project to each task force member.

(Odemar): It's up to us to look at the proposals and possibly readjust priority.

(Bingham): I recommend that the 4 or 5 proposals that we've discussed today be given special attention by the task force.

(Tuss): The line stands now to include HR/114.

Discussion of proposals to nominate for FY90 funding:

Proposals nominated:

The four fish rescue proposals, FR/140A, FR/140B, FR/061, FR/057; the Pine Creek sediment proposal, HR/065; the remote sensing proposal, HP-1; the spawner escapement monitoring proposal, FP-8; and the Ishi Pishi harvest monitoring project, FP-1.

Discussion of proposal FP-1: Ishi Pishi harvest monitoring project.

(Odemar): Seems like a large sum of money for small fishery.

(Hillman): It's the combined budget for '90 and '91.

Q: The tribe didn't feel that they could provide funds for this?

A: We are seeking 638 funds to fund this, I can't say that it will be funded for sure, I'm optimistic that in '92 it will be fully funded by 638 funds.

Q: Leaf, do you have any information about work that could be funded in '90?

A: Some possible spending opportunities are -- One is presented due to CDFG's cutback, the Klamath pond rearing program in cooperation with NCIDC, because of the CDFG's cutback, many of the ponds weren't put into operation. The only ponds that are in operation are those ponds that were in operation prior to the cut. If funding doesn't occur, the employees may be laid off and the fish released... the normal release time is in October. In order to carry out the rearing they'll need \$22k.

General discussion of Pond rearing proposals funded by NCIDC and CDFG:

Tuss was uneasy about using federal money to bail out CDFG, thought it was coincidental that they were requesting same amount as surplus '90 dollars.

Hillman stated that these programs will release fish and lay off employees by June 30, 1990 unless funded.

Bingham was in favor of funding the projects as a crisis relief. Farro mentioned that money should be available through NCIDC funds and that CDFG should not be allowed to withdraw from their financial obligation in this agreement. He also added that the task force lacked proper information to evaluate the programs and make good decisions, but was in favor of supporting the rearing projects. Pierce stated that NCIDC was acting in cooperation with CDFG, and when CDFG ceased funding, NCIDC funds could not support all the pond rearing projects.

(Tuss): I'll see what I can find out about what's going on, I guess I'm hearing support of the program. If the CDFG pulled out against a contract, then we will have the option of refusing funding, otherwise I think we're in favor of funding the program. I'll provide follow up information to all of you regarding this issue.

Consensus to end Meeting at 4:20 pm.